

# **COMPREHENSIVE LAND USE PLAN McCLELLAN-PALOMAR AIRPORT CARLSBAD, CALIFORNIA**

**Adopted April, 1994**

**San Diego**



**ASSOCIATION OF  
GOVERNMENTS**

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**Revised April 26, 1994**



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**RESOLUTION  
No.**

94-64

**ADOPTION OF THE COMPREHENSIVE  
LAND USE PLAN FOR McCLELLAN-PALOMAR AIRPORT**

**WHEREAS, SANDAG is designated as the Airport Land Use Commission for the San Diego Region pursuant to the State of California Public Utilities Code, Article 3.5, Chapter 4, Part 1, Division 9; and**

**WHEREAS, SANDAG has prepared a Comprehensive Land Use Plan for McClellan-Palomar Airport in order to preserve the public health, safety, and welfare of the region's citizens; and**

**WHEREAS, the Comprehensive Land Use Plan for McClellan-Palomar Airport was prepared with input from the McClellan-Palomar Airport Advisory Committee and the Cities of Carlsbad, Encinitas, Vista, San Marcos, and Oceanside; and**

**WHEREAS, a public hearing was held on April 22, 1994, to take testimony on the Plan's findings and recommendations; and**

**WHEREAS, SANDAG has determined that there will be no significant environmental impact caused by the implementation of the Plan; NOW THEREFORE**

**BE IT RESOLVED that the Board of Directors of the San Diego Association of Governments, serving as the Airport Land Use Commission for the San Diego Region, hereby adopts the Comprehensive Land Use Plan for McClellan-Palomar Airport.**

**PASSED AND ADOPTED this 22nd day of April, 1994.**

  
CHAIRPERSON

ATTEST:   
SECRETARY



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ASSOCIATION OF  
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## **TO THE CITIZENS OF THE SAN DIEGO REGION**

In 1970, the State Legislature created Airport Land Use Commissions in each county within the state. The following year, SANDAG was recognized as the agency empowered to serve as the Airport Land Use Commission for the San Diego Region.

Serving as the Airport Land Use Commission (ALUC), it is the responsibility of SANDAG to prepare Comprehensive Land Use Plans, based on aircraft produced noise and flight activity considerations, for each airport within the region. The Comprehensive Land Use Plan for McClellan-Palomar Airport was prepared by SANDAG with review by the Palomar Airport Advisory Committee and the City of Carlsbad staff. The plan is based on the noise contours prepared for San Diego County.

The plan recommendations for achieving compatible land uses for the Cities of Carlsbad, Encinitas, Vista, San Marcos, and Oceanside, and the County of San Diego include:

1. Prohibit incompatible uses within the Area of Influence, as defined by this plan.
2. Use this plan to review pertinent proposals for revision of the General Plans of Carlsbad and the County of San Diego.
3. Adopt an ordinance making the requirements of the existing and applicable California Noise Insulation Standards (CAC, Title 25) apply to single family detached residences in the same manner as they are applied to multiple family residences, hotels, motels, and other buildings addressed in that law.
4. Direct the appropriate County Department to record the location of any aircraft accidents within five miles of the airport property boundaries.
5. Review the assumptions and forecasts of aircraft operations and update the existing and projected Community Noise Equivalent Levels (CNEL) contours every five years or when warranted.

Successful implementation of this plan will require the cooperation of the City of Carlsbad and the County of San Diego, SANDAG serving as the ALUC, and the aircraft owners and pilots operating at McClellan-Palomar Airport.

**GLORIA McCLELLAN**  
Chairwoman, Board of Directors

## **ABSTRACT**

**TITLE:** Comprehensive Land Use Plan for  
McClellan-Palomar Airport

**AUTHOR:** San Diego Association of Governments

**SUBJECT:** Land Use Compatibility Surrounding  
McClellan-Palomar Airport

**DATE:** April, 1994

**LOCAL PLANNING AGENCY:** San Diego Association of Governments

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**ABSTRACT:** This report has been prepared to assist in  
ensuring compatible land use development in  
the area surrounding McClellan-Palomar  
Airport. The plan contains the Airport's  
Influence Area, the noise impact notification  
area, projected noise contours, clear zones,  
flight activity zone, land use compatibility  
matrix, and plan recommendations.

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**COMPREHENSIVE LAND USE PLAN  
FOR McCLELLAN-PALOMAR AIRPORT**

# **COMPREHENSIVE LAND USE PLAN FOR McCLELLAN-PALOMAR AIRPORT**

## **I. INTRODUCTION**

### **The Airport Land Use Commission**

In 1970, the State of California enacted a law requiring the formation of an Airport Land Use Commission (ALUC) in each county containing a public airport. According to Chapter 21675 of the California Public Utility Code, it is the responsibility of the Commission to:

"formulate a comprehensive land use plan that will provide for the orderly growth of each public airport and the area surrounding the airport within the jurisdiction of the Commission, and will safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general. The Commission plan shall be based on a long-range master plan or an airport layout plan, as determined by the Division of Aeronautics of the Department of Transportation, that reflects the anticipated growth of the airport during at least the next 20 years. In formulating a land use plan, the Commission may develop height restrictions on buildings, may specify use of land, and may determine building standards, including sound-proofing adjacent to airports, within the planning area."

The San Diego County Board of Supervisors, by unanimous vote on December 15, 1970, recommended that the San Diego Association of Governments be designated to assume the responsibilities of an Airport Land Use Commission. A similar resolution was passed and adopted by the Selection Committee of Mayors of the San Diego County Region on February 8, 1971. The Secretary of State was notified of this determination on February 25, 1971, and an acknowledgement of this determination was received from the Secretary of State's office on March 2, 1971.

SANDAG, as the Airport Land Use Commission for the San Diego Region, has approved and adopted Comprehensive Land Use Plans (CLUP) for Montgomery Field, Brown Field, Oceanside, Gillespie and Palomar Airports, and NAS Miramar. A draft CLUP for Ramona Airport is under review. This CLUP for McClellan-Palomar Airport will replace the original CLUP adopted for McClellan-Palomar in 1986. (See Figure 1 for locations of public airports.)

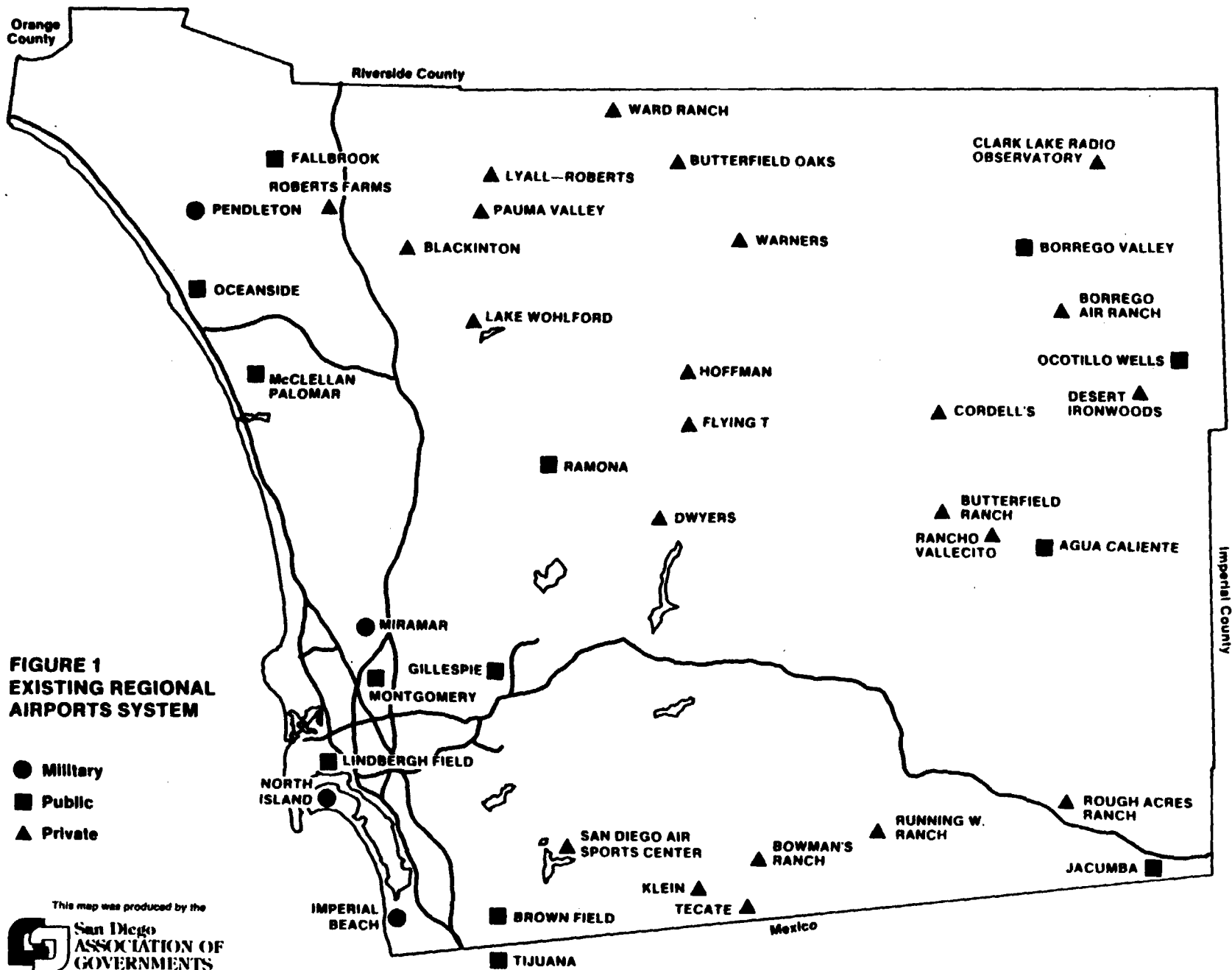


FIGURE 1

## McClellan-Palomar Airport

The McClellan-Palomar Airport is located within the corporate limits of the City of Carlsbad, approximately five miles southeast of the Carlsbad Village. The Federal Aviation Administration (FAA) classifies the airport as a general utility facility, an airport mainly serving aircraft with a maximum gross takeoff weight of 12,000 pounds or less. However, some aircraft larger than 12,500 pounds, but less than 60,000, do operate at the airport.

The North County area served by McClellan-Palomar Airport is the fastest growing portion of the region. It is expected to increase from its 1986 population of 481,335 to over 861,786 by the year 2000, an increase of 55.8%. Employment is forecast to increase from 196,482 to 343,310, a 57.2% increase. The rapid growth in employment is due largely to the extensive industrial development taking place in the North County, much of it located around the McClellan-Palomar Airport. Industrial development was encouraged by local agencies to ensure that the land use change from agriculture to more intensive uses would remain compatible with the operation of the airport.

The purpose of the Comprehensive Land Use Plan (CLUP) is to identify areas likely to be impacted by noise and flight activity created by aircraft operations at the airports. This update was required to keep the CLUP current. It was prepared in cooperation with the County of San Diego, using the County's FAR Part 150 Noise Compatibility Program. This Plan should permit the reader to determine if a particular property is impacted by aircraft-produced noise or flight activity, what the land use or construction implications are, and mitigation measures needed to permit development that is compatible with airport operation.

Figure 2 in the Plan identifies the areas impacted by aircraft operations from the airport. The narrative includes the plan assumptions, the area of influence, noise contours, clear zones, flight activity zone, the noise compatibility program, the ALUC review process, and recommendations. The ALUC rules and regulations, including definitions, are contained in the Appendix, followed by a list of References.

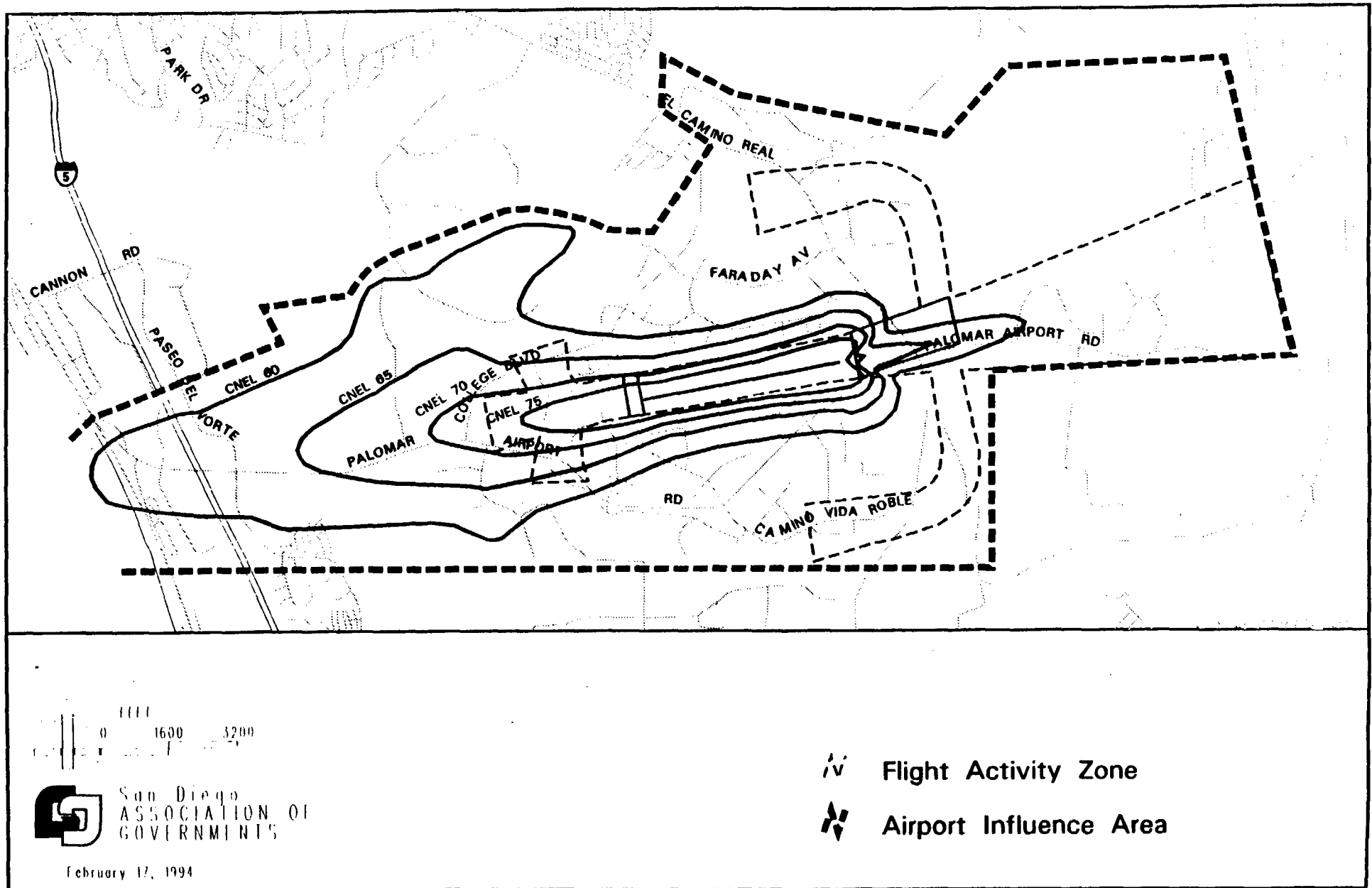
The recommendations contained in this report apply to both the current situation at McClellan-Palomar Airport and to future operations as well.

## **II. AIRCRAFT OPERATIONS**

There were 380 aircraft based at McClellan-Palomar Airport in 1992. Most of its 225,000 annual (1992) operations\* involve single engine aircraft. Current operations produce noise impacts on the surrounding area. With the forecasted increase in North County population and employment, aircraft operations are expected to increase to about 290,000 by 1995. The area of noise impact will stay about the same with the increase in aircraft operations

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\*Each takeoff and each landing is defined as one operation.



**Figure 2**  
**McClellan Palomar-Airport**  
**Airport Influence Area**

and change in aircraft mix. This Plan provides guidance in land use development to assure future compatible uses.

The future aircraft operations shown in Appendix A were developed by the consulting firm of KPMG Peat Marwick for the County of San Diego. These data were used by the consultants to determine projected noise contours. (The consultant's report is available for review at the San Diego County Public Works Department, Airports Division.) Appendix A shows the mix of aircraft by type and percent of operations by each type.

### **III. AIRPORT INFLUENCE AREA**

The ALUC establishes an Airport Influence Area for each airport in the region. The Influence Area encompasses those areas adjacent to airports which could be impacted by noise levels exceeding the California State Noise Standards or where height restrictions would be needed to prevent obstructions to navigable airspace as outlined in Federal Aviation Administration regulations. It represents the boundary of the ALUC's planning and review authority. The ALUC procedure ensures a regional overview to protect the airport's operations and to prevent the creation of new noise and safety problems.

The McClellan-Palomar Airport Influence Area is shown on Figure 2. The cities of Carlsbad, Encinitas, Vista, San Marcos, and Oceanside, through their community planning processes and zoning ordinances, retain land use control within the Airport Influence Area.

### **IV. NOISE CONTOURS**

In California, the technique used for quantifying aircraft noise is the community noise equivalent level (CNEL). The CNEL is a descriptor of daily noise environment. It accounts for the magnitude, the time of day, and the frequency of occurrence of noise intrusions. The CNEL is calculated from the hourly noise by a formula prescribed in the California Noise Standards. The outside boundaries of the areas generally subject to such noise are usually portrayed by lines overlaid on a map of the area around the airport. These boundary lines are referred to as "noise contours". The noise contours provide one of the bases for delineating the airport's Area of Influence. Individual contours appear on the map because the noise is loudest at the airport and dissipates at varying distances away from the airport depending on the location of the flight activity, the types of aircraft involved, and topography.

The 60 and 65 CNEL contours are important because each of them has a different significance in developing compatible land uses around an airport. The 60 CNEL contour is important because the California Noise Insulation Standards, which became effective on August 22, 1974, state that residential structures (all dwellings other than detached single family dwellings) which are located within the 60 CNEL contours require an acoustical analysis showing that the structure has been designed to limit intruding noise to levels which would not interfere with speech or sleep. This contour does not define a land area in which residential uses are unsuitable. Rather, the contour identifies an area in which

a mitigation measure may have to be utilized to reduce the impact of aircraft noise on dwelling units other than single family detached.

The 65 CNEL contour is the value defined by the adopted State Noise Standards which identifies the noise impact boundary of airports; that is, a boundary within which the noise environment is not suitable for residential use. Other non-residential uses are generally suitable within the contour.

The 70 CNEL contour defines a boundary within which the area is not suitable for numerous land uses. CNEL's above 70 are not projected far beyond the airport boundary. Active, outdoor recreation, commercial uses and manufacturing uses are acceptable. CNEL's above 75 remain within the airport boundary.

Figure 3 presents the range of land uses compatible with various projected annual CNEL's. It can be used to determine the appropriateness of various planned land uses. McClellan-Palomar Airport, with the level of operations and CNEL's projected, should not be limiting to the uses permitted by San Diego County's or Carlsbad's General Plans within the Area of Influence.

The area immediately surrounding the airport is planned for industrial and commercial uses, which are compatible with the noise levels forecast around the airport. Residential uses are planned in the area south of the airport. Homes may, therefore, be impacted by noise within the 60 CNEL. Mitigation measures, such as air conditioning to allow windows to remain closed, would be appropriate to reduce the noise level inside these homes.

A review of current land use and general plan data summarized on Table 1 shows little noise impact currently on existing uses. Several parcels lie within the 60 to 65 CNEL. The majority of the area impacted is planned for single family uses with the remainder planned for multiple residential; future development will require noise attenuation studies for these units.

**FIGURE 3  
McCLELLAN-PALOMAR AIRPORT  
NOISE/LAND USE COMPATIBILITY MATRIX**

LAND USE	Annual Community Noise Equivalent Level (CNEL) in Decibels				
	55	60	65	70	75
1. OUTDOOR AMPHITHEATERS					
2. NATURE PRESERVES, WILDLIFE PRESERVES, LIVESTOCK FARMING, NEIGHBORHOOD PARKS AND PLAYGROUNDS					
3. SCHOOLS, PRESCHOOLS, LIBRARIES		45			
4. RESIDENTIAL-SINGLE FAMILY, MULTIPLE FAMILY MOBILE HOMES, RESIDENTIAL HOTELS, RETIREMENT HOMES, INTERMEDIATE CARE FACILITIES, HOSPITALS NURSING HOMES		45			
5. HOTELS AND MOTELS, OTHER TRANSIENT LODGING, AUDITORIUMS, CONCERT HALLS, INDOOR ARENAS, CHURCHES		45	45		
6. OFFICE BUILDINGS-BUSINESS, EDUCATIONAL, PROFESSIONAL AND PERSONAL SERVICES, R&D OFFICES AND LABORATORIES			50		
7. RIDING STABLES, WATER RECREATION FACILITIES, REGIONAL PARKS AND ATHLETIC FIELDS, CEMETERIES, AND OUTDOOR SPECTATOR SPORTS					
8. COMMERCIAL-RETAIL; SHOPPING CENTERS, RESTAURANTS, MOVIE THEATERS			50	50	
9. COMMERCIAL-WHOLESALE, INDUSTRIAL, MANUFACTURING					
10. AGRICULTURE (EXCEPT RESIDENCES AND LIVESTOCK), EXTRACTIVE INDUSTRY, FISHING, UTILITIES, & PUBLIC R-O-W, AND GOLF COURSES					



**COMPATIBLE**

The outdoor community noise equivalent level is sufficiently attenuated by conventional construction that the indoor noise level is acceptable, and both indoor and outdoor activities associated with the land use may be carried out with essentially no interference from aircraft noise.



**CONDITIONALLY COMPATIBLE**

The outdoor community noise equivalent level will be attenuated to the indoor level shown, and the outdoor noise level is acceptable for associated outdoor activities.



**INCOMPATIBLE**

The community noise equivalent level is severe. Although extensive mitigation techniques could make the indoor environment acceptable for performance of activities, the outdoor environment would be intolerable for outdoor activities associated with the land use.

**This matrix should be used with reference to the Implementation Directives shown on the reverse.**



## AIRPORT NOISE/LAND USE COMPATIBILITY MATRIX IMPLEMENTATION DIRECTIVES

All the uses specified are "compatible" up to the noise level indicated. Specified uses are also allowed as "conditionally compatible" or "interior only, conditionally compatible" in the noise levels shown if two specific conditions are met and certified by the local general purpose agency:

- Proposed buildings will be noise attenuated to the level shown on the matrix based on an acoustical study submitted along with building plans.
- In the case of discretionary actions, such as approval of subdivisions, zoning changes, or conditional use permits, an aviation easement for noise shall be required to be recorded with the County Recorder as a condition of approval of the project. A copy of the recorded easement is to be filed with the affected airport operator. For all property transactions, appropriate legal notice shall be given to all purchasers, lessees and renters of property in "conditionally compatible" or "interior only, conditionally compatible" areas which clearly describes the potential for impacts from airplane noise associated with airport operations. Notice also will be provided as required on the state Real Estate Disclosure form.

Identified uses proposed in noisier areas than the level indicated on the matrix are considered "incompatible."

The directives below relate to the specific "conditionally compatible" land use categories identified by number on the matrix.

3. New schools, preschools and libraries located within the CNEL 60-65 contours must be subjected to an acoustical study to assure that interior levels will not exceed CNEL 45.
4. New residential and related uses located within the CNEL 60-65 contours must be subjected to an acoustical study to assure that interior levels will not exceed CNEL 45. Appropriate legal notice shall be provided to purchasers, lessees, and renters of properties in this conditionally compatible zone.

"Residential hotels" are defined as those that have 75% or more of accommodations occupied by permanent guests (staying more than 30 days) or those hotels which have at least 50 percent of their accommodations containing kitchens.

5. Transient Lodging is defined as hotels and motels, membership lodgings (Y's, etc.), suite or apartment hotels, hostels, or other temporary residence units, not defined as residential hotels, above. Within the CNEL 60-70 contours, buildings must be subjected to an acoustical study to assure that interior levels do not exceed CNEL 45. Appropriate legal notice shall be provided to purchasers, lessees, and renters of properties in this conditionally compatible zone.
6. Office buildings include many types of office and service uses: business and business services; finance, insurance, real estate; personal services; professional (medical, legal and educational); and government, research and development and others. Within the CNEL 65-70 contours, buildings must be subjected to an acoustical study to assure that interior levels do not exceed CNEL 50. Appropriate legal notice shall be provided to purchasers, lessees, and renters of properties in this conditionally compatible zone.
8. For new commercial retail uses located within the CNEL 65-75 contours, buildings must be subjected to an acoustical study to assure that interior levels do not exceed CNEL 50. Appropriate legal notice shall be provided to purchasers, lessees, and renters of properties in this conditionally compatible zone.

Table 1

**DEVELOPMENT WITHIN AIRPORT NOISE LEVELS  
McCLELLAN-PALOMAR AIRPORT**

CNEL Year	60-65		65-70		70 or More	
	1986	2000	1986	2000	1986	2000
Total Population	331	826	2	92	0	0
Household	331	826	2	92	0	0
Group Quarters	0	0	0	0	0	0
Occupied Housing Units	179	426	1	44	0	0
Single Family	93	298	1	44	0	0
Multi-Family	0	38	0	0	0	0
Civilian Employment	2,285	3,754	218	505	434	1,242

Note: New multi-Family dwellings will require noise attenuation studies.

Sources: SANDAG Regional Growth Forecasts, Series 7 and Carlsbad General Plan, 1985

**V. RUNWAY PROTECTION ZONES, FLIGHT ACTIVITY ZONE,  
AND AIR SAFETY**

It is one of the purposes of the Comprehensive Land Use Plan to preclude incompatible development from intruding into areas of significant risk resulting from aircraft takeoff and landing patterns. For the purposes of this report, such areas of significant risk are identified as "Zones" and "Flight Activity Zone." They are delineated on Appendix H and Figure 2, along with accident data in the vicinity of the airport.

**Runway Protection Zones (RPZ)**

The Runway Protection Zones for McClellan-Palomar Airport are the land areas adjacent to the ends of the runway's primary surface, over which aircraft using the airport must pass for each operation, either arrival or departure. The zones reflect the dimensions of the airport as promulgated by Federal Aviation Regulations Part 77 (Obstruction Hazards) and Part 152 (Runway Protection Zones). The RPZ is an "area at ground level that begins at the end of each primary surface ... and extends with the width of each approach surface ... to terminate directly below each approach surface slope at the point, or points, where the slope reaches a height of 50 ... feet above the elevation of the runway end or 50 feet above the terrain at the outer extremity of the clear zone, whichever is shorter."

Because the RPZ's lie mainly on the airport property, they are mostly protected from private development.

The only land uses considered to be compatible with the restrictions required of the RPZ's are:

1. Natural Recreation Areas or Habitat and Species Preservation Areas.
2. Public rights-of-way.
3. Agriculture, except livestock, and sand and gravel extraction.
4. Storage facilities, not including flammables, explosives and corrosives, and low intensity land uses characterized by a low number of employees and customers per square foot of building area.

Areas immediately adjacent to the airport in every direction are zoned with a height limit of 35 feet. This height limit could assure that new construction will not penetrate either the approach surfaces at the runway ends or the transitional surfaces along the length of the runway. However, the 35-foot height limit allows an average height of 35 feet (e.g., an average of a sloping roofline could be 35 feet, although the roofline could slope from 25 feet to 45 feet). Additionally, penthouses, smokestacks, etc., can extend higher than 35 feet. These zoning requirements are not adequate to protect the approaches to the airport runways. For this reason, the approval of an industrial subdivision west of the airport included conditions set by the City of Carlsbad: meet the height limitation set by FAR Part 77 and also limit the uses to warehouses and some office uses in the area immediately west of the airport.

#### Flight Activity Zone

The additional air safety considerations are shown graphically in the CLUP as Flight Activity Zones. They are based upon the data presented in the 1974 CLUP as amended and the FAR Part 150 Noise Compatibility Program which identified areas where most problems may be expected to occur, namely the normal flight patterns (see Appendix B). Thus, the areas most likely to experience a crash remain those beneath the flight pattern, especially in the final approach to the runway. These are the areas identified as flight activity hazard areas in the 1986 CLUP.

Both the CNEL contours and the Flight Activity Zone are delineated on the pocket map to indicate areas of land use concern. The land uses compatible with the greatest levels of noise are not identical with uses compatible with increased flight activity, in the areas under the final approaches to Runway 24 and to Runway 6.

The Flight Activity Zone overlays private properties. It identifies land areas which should be held free of intensive development (for example, more than ten dwelling units per acre), including high rise development and all uses which involve the assembly of large

groups of people (more than 100). This zone should be used as a guide in consideration of any proposed increase in density or high rise development. It also should be used in review of assembly-type uses, which usually require a conditional use permit from the land use agency. The City of Carlsbad should find such uses to be inappropriate in the Flight Activity Zone, by finding them to be incompatible with this CLUP.

### Noise Compatibility Program

The County of San Diego as the airport operator has recently completed a Federal Aviation Administration (FAA) sponsored noise compatibility program for the airport. Appendix C contains a summary of the recommended program and a copy of the FAA's approval of the program.

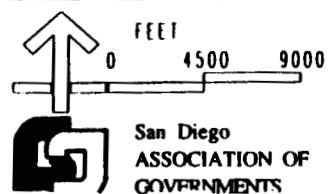
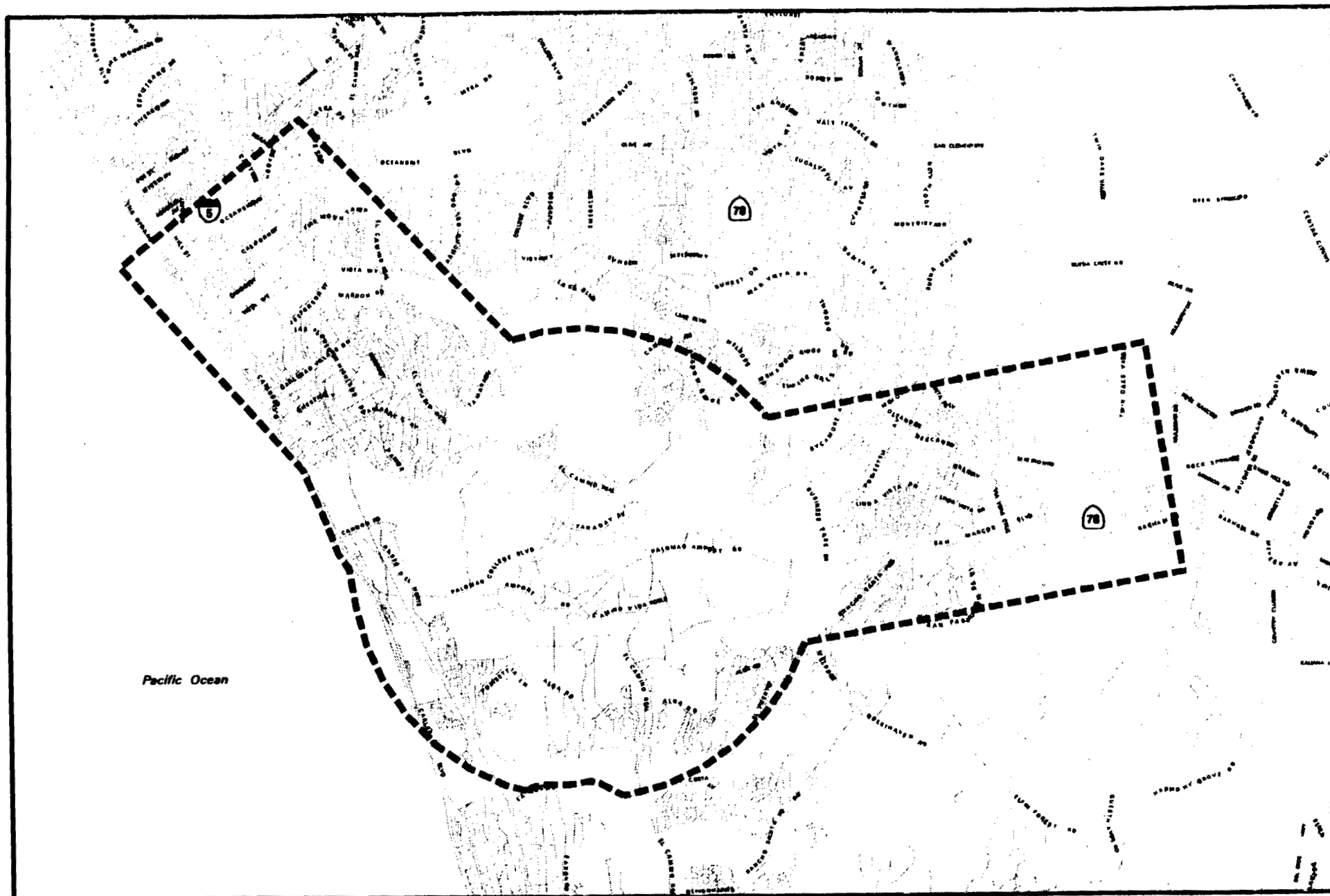
### Noise Impact Notification Area

The Noise Impact Notification Area (NINA) is the area most impacted by aircraft operations to and from McClellan-Palomar Airport. This area represents nearly 90% of all noise and overflight related complaints from area residents. Much of the noise in this area occurs on an irregular basis, and is often called single event noise. This type of noise, although not generally considered a health or safety issue, may be a nuisance.

Physically, the NINA is composed of a three mile radius around the airport, as well as the VOR and ILS corridors to the west and east, respectively, and extends both horizontally and vertically due to terrain considerations. The NINA incorporates class D airspace, as well as the approach corridors. As such, it corresponds to an area shown on aeronautical maps familiar to pilots.

This area has also been recognized by the 1990 Part 150 Noise study conducted for McClellan-Palomar Airport, which is the basis for federal government (FAA) participation in the acquisition of a noise monitoring system at the airport. The noise monitor allows for systematic recording and empirical analysis of noise and overflight in the area and establishes validation procedures for noise contours, the noise abatement area and the newly created NINA.

To ensure that new residential discretionary projects are conditioned to notify new property owners of their proximity to the airport, and that their property may be subject to aircraft overflight operating from McClellan-Palomar Airport, the NINA has been established. All new residential projects located within the NINA, as shown on Figure 4 (attached), shall be required to record a notice concerning aircraft environmental impacts, clarifying that the property is subject to overflight, sight and sound of aircraft operating from McClellan-Palomar (see Appendix G for a sample form).



**Figure 4**  
**McClellan-Palomar Airport**  
**Noise Impact Notification Area**

## **VI. GENERAL PLAN CONSISTENCY AND NON-CONFORMING USES**

The Carlsbad General Plan, under update in 1992, is consistent with this CLUP. There is a problem relating to the 65 dB CNEL line south of Palomar Airport Road. This area is planned for residential use on the Carlsbad General Plan; the area will require specific project review to assure that any development proposed is compatible with the CLUP.

The only other areas of land use concern relate to height limits and hazard zones. Because the Carlsbad zoning ordinance does not specifically limit the height of rooftop appurtenances, there is no assurance that new construction will not create hazardous conditions near the airport. This concern was addressed in the approval of the industrial subdivision west of the airport, by requiring adherence to the FAR Part 77 guidelines. The area east of the airport, especially along the ILS approach, is not so protected. It will be necessary for the City of Carlsbad and San Marcos to review heights of all structures to ensure that they conform to the FAR Part 77 guidelines, using the site development plan review procedure.

The City of Carlsbad has established an overlay zone for the ALUC-designated Area of Influence. The procedure requires that all parcels of land located in the Airport Influence Area obtain either a site development plan, planned industrial permit, or other discretionary permit and to comply with the noise standards of the CLUP and to meet FAA requirements with respect to building height and the provision of obstruction lighting when appurtenances are permitted to penetrate the transitional surface (a 7 to 1 slope from the runway primary surface). It would be appropriate for the FAA guidelines to be made a part of the zoning requirement around the airport, so that building designers are made aware of these concerns in advance of design. It could reduce the possible need for obstruction lighting on new construction adjacent to the airport. The community plan should continue to designate land uses consistent with this CLUP.

In order to be protected from inappropriate land uses not readily covered by the criteria of this CLUP, one additional concern must be addressed. Any use, whether within or outside the defined Airport Influence Area, found to be an "obstruction" by the FAA, should be determined not to be in conformance with the CLUP. Such a provision would assure that approval of a discretionary use (such as a very high smokestack in an industrial area) which might otherwise be considered acceptable, would not create a hazard to the operation of the airport. The FAA has no authority to limit land use and can only direct that changes be made in airport operations when the determination of a "hazard" is made. Therefore, the CLUP would be the determining factor by indicating that such a use would not be in conformance with the Plan.

## **VII. PLAN RECOMMENDATIONS**

### **Recommendations for Actions by the Cities of Carlsbad, Vista, San Marcos, and Oceanside, and the County of San Diego**

1. Prohibit incompatible uses within the Airport Influence Area, as defined by this plan, including inappropriate heights which would penetrate the 34:1 airport approach surface which extends 10,000 feet to the east.
2. Use this plan to review pertinent proposals for revision of the General Plans of Carlsbad, Vista, San Marcos, and Oceanside.

Include, as part of the General Plans' implementing ordinances, a provision for assurance that no construction permitted in the vicinity of McClellan-Palomar Airport will constitute an "obstruction" as determined by FAA.

3. Adopt an ordinance making the requirements of the existing and applicable California Noise Insulation Standards (CAC, Title 25) apply to single family detached residences in the same manner as they are applied to multiple family residences, hotels, motels, and other buildings addressed in that law.
4. Direct the appropriate County Department to record the location of aircraft accidents within five miles of the airport property boundaries.
5. Review the aircraft mix assumptions and forecasts of aircraft operations, update the existing and projected CNELs, and re-evaluate the impacts of noise summarized in Appendix A in five years or when warranted.
6. The County of San Diego should implement the FAA approved noise abatement and noise mitigation measures as recommended in the FAR 150 Noise Compatibility Program for McClellan-Palomar Airport.
7. The County of San Diego, in cooperation with the City of Carlsbad and SANDAG, should prepare an airport master plan.
8. The City of Carlsbad and the County of San Diego should seek an aviation easement for all new development within the noise contours.
9. The County of San Diego and the Cities of Carlsbad, San Marcos, Vista, and Oceanside should implement a disclosure notice for all new residential development within the noise impact notification area.

### **Recommendations for Action by the San Diego Association of Governments (ALUC)**

1. Monitor the plans and regulations adopted by the Cities of Carlsbad, Encinitas, Vista, San Marcos, and Oceanside, and the County of San Diego, and act in accordance with the rules and regulations adopted by SANDAG (ALUC).
2. Use the Land Use Compatibility with Projected Community Noise Equivalent Levels matrix contained in this plan for the determination of consistency of proposed development within the Airport Influence Area.
3. Use the Clear Zones and Flight Activity Zone suitability guidelines in determining compatible land uses (including height limits) for areas subject to risk resulting from aircraft takeoff and landing patterns. Stipulate that any proposed discretionary construction found to be a "hazard" to navigation by FAA is not in conformance with the CLUP.
4. Work with the City of Carlsbad and the County of San Diego, FAA, and National Transportation Safety Board to review the Flight Activity Zone and land use compatibility matrix contained in this CLUP.
5. Discourage federal or state expenditures on projects intended to support residential or other forms of incompatible development within areas subject to excessive noise levels and/or accident potential as defined in this plan (e.g., sewer projects, FHA mortgage insurance).

### **VIII. ALUC DEVELOPMENT REVIEW PROCESS**

The following steps are identified as the process by which a development or proposal is determined to be consistent with the Comprehensive Land Use Plan for McClellan-Palomar Airport:

1. The local agency staff or the airport operator notifies the ALUC staff of proposed adoption or amendment of general or specific plans or the adoption or approval of a zoning ordinance or building regulation on lands lying wholly or partially in the airport's area of influence.
2. The ALUC staff determines whether or not the proposed action would be clearly consistent with the ALUC adopted land use plan covering such area and so notifies the local agency. This written notice shall constitute action by the ALUC.
3. If the proposed action of the local agency is considered by the ALUC staff to be potentially inconsistent with the adopted land use plan, the Commission shall hold a hearing to determine whether or not the proposed action is inconsistent with the Commission's plan. The local agency shall be notified of the ALUC decision prior to the agency's hearing.



4. If it is determined by the Commission that the proposed action is inconsistent, the Commission's action shall be considered by the local agency. After holding a public hearing, by a two-thirds vote of its governing body, the local agency proposing the action may overrule the ALUC if it makes specific findings that the proposed action is consistent with the purposes stated in Section 21670 of the Public Utilities Code.

#### **IX. PLAN UPDATE**

This plan should be updated every five years from date of adoption or when the information upon which the plan is based has been changed sufficiently to warrant a review of noise contours, flight activity zones, or land use compatibility.

## **APPENDICES**

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## APPENDIX A

### EXISTING AND FORECAST AVERAGE DAY AIRCRAFT MIX McClellan-Palomar Airport 1989 and 1995

These forecasts have been prepared on the basis of the information and assumptions given in the FAR Part 150 study (May, 1990). The achievement of any forecast is dependent upon the occurrence of future events that cannot be assured. Therefore, the actual results may vary from the forecasts.

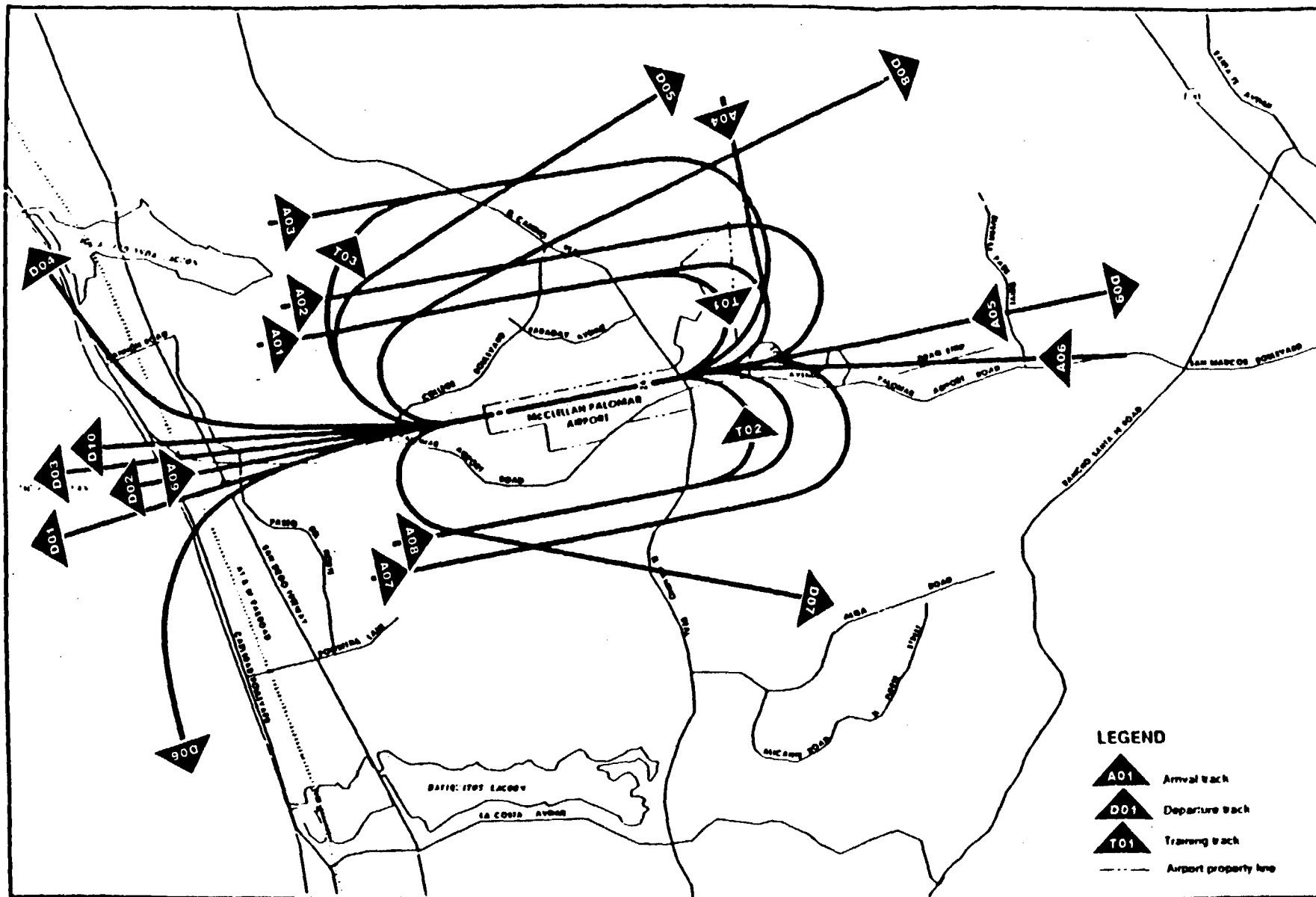
<u>Aircraft type</u>	<u>Existing 1989</u>				<u>Forecast 1995</u>			
	<u>Day</u>	<u>Evening</u>	<u>Night</u>	<u>Total</u>	<u>Day</u>	<u>Evening</u>	<u>Night</u>	<u>Total</u>
Turbojet	7.7	0.6	0.1	8.4	9.7	0.8	0.1	10.6
Turbofan	15.1	3.3	0.2	18.6	30.0	4.8	0.7	35.5
Heavy turboprop <sup>a</sup>	2.0	0.0	0.0	2.0	3.0	0.0	0.0	3.0
Light turboprop <sup>b</sup>	22.9	0.3	0.2	23.4	39.1	1.6	0.8	41.5
Twin-engine prop	59.1	13.0	0.0	72.1	77.9	17.5	0.0	95.4
Single-engine prop	449.0	33.6	4.5	487.1	530.7	42.1	10.3	583.1
Helicopter	<u>19.6</u>	<u>1.0</u>	<u>0.0</u>	<u>20.6</u>	<u>23.8</u>	<u>1.6</u>	<u>0.0</u>	<u>25.4</u>
<b>Total</b>	<b>575.4</b>	<b>51.8</b>	<b>5.0</b>	<b>632.2</b>	<b>714.2</b>	<b>68.4</b>	<b>11.9</b>	<b>794.5</b>
<b><u>Annual total</u></b>								
Number	210,012	18,907	1,825	230,744	260,690	24,966	4,344	290,000
Percentage	91.0%	8.2%	0.8%	100.0%	89.9%	8.6%	1.5%	100.0%

Day = 7 a.m. to 7 p.m.  
Evening = 7 p.m. to 10 p.m.  
Night = 10 p.m. to 7 a.m.

- a. Turboprop with maximum gross takeoff weight greater than 12,500 pounds.  
b. Turboprop with maximum gross takeoff weight of 12,500 pounds or less.

Sources: 1989 data: KPMG Peat Marwick, January 1990, based on aircraft observations from October 21, 1989 through November 8, 1989, and Airport Traffic Control Tower counts  
1995 forecasts: San Diego County, May 1990

# APPENDIX B



## LEGEND

- A01** Arrival track
- D01** Departure track
- T01** Training track
- Airport property line

Exhibit (L)

## AVERAGE FLIGHT TRACKS

Noise Exposure Maps  
McClellan Palomar Airport  
KPMG Peat Marwick May 1990

Table 4 (pg. 3 of 3)

## AVERAGE DAY FLIGHT TRACK UTILIZATION

ARRIVALS, DEPARTURES, AND TRAINING BY NUMBER AND PERCENTAGE

McClellan-Palomar Airport

	Percentage of 1989 and 1995 Operations					
	<u>Jet</u>	<u>Heavy turboprop</u>	<u>Light turboprop</u>	<u>Twin-engine prop</u>	<u>Single-engine prop</u>	<u>Helicopter</u>
<b>Departure tracks</b>						
D01	20.0%	25.0%	9.6%	9.6%	9.6%	0.0%
D02	20.0	48.0	9.6	9.6	9.6	98.0
D03	20.0	25.0	9.6	9.6	9.6	0.0
D04	8.0	0.0	9.6	9.6	9.6	0.0
D05	0.0	0.0	23.0	23.0	23.0	0.0
D06	0.0	0.0	6.0	6.0	6.0	0.0
D07	0.0	0.0	13.0	13.0	13.0	0.0
D08	0.0	0.0	8.0	8.0	8.0	0.0
D09	2.0	2.0	2.0	2.0	2.0	2.0
D10	30.0	0.0	9.6	9.6	9.6	0.0
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
<b>Arrival tracks</b>						
A01	0.0%	0.0%	0.0%	22.0%	22.0%	0.0%
A02	0.0	0.0	34.0	12.0	12.0	0.0
A03	25.0	25.0	0.0	0.0	0.0	0.0
A04	0.0	0.0	6.0	6.0	6.0	0.0
A05	73.0	73.0	34.0	34.0	34.0	98.0
A06	0.0	0.0	14.0	14.0	14.0	0.0
A07	0.0	0.0	10.0	2.0	2.0	0.0
A08	0.0	0.0	0.0	8.0	8.0	0.0
A09	2.0	2.0	2.0	2.0	2.0	2.0
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
<b>Training tracks</b>						
T01	0.0%	0.0%	0.0%	82.0%	82.0%	82.0%
T02	0.0	0.0	0.0	18.0	18.0	18.0
T03	100.0	100.0	100.0	0.0	0.0	0.0
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Note: Numbers may not add due to rounding.

Source: Brown-Buntin Associates, Inc., May 1990.

## APPENDIX C

Table 4

RECOMMENDED NOISE ABATEMENT AND NOISE MITIGATION MEASURES,  
THE ENTITY RESPONSIBLE FOR IMPLEMENTATION, AND THE  
APPROXIMATE START DATES  
McClellan-Palomar Airport

<u>Measure</u>	<u>Entity with implementation responsibility</u>	<u>Approximate start date</u>
<b><u>NOISE ABATEMENT</u></b>		
<b><u>Operations Measures</u></b>		
1. Raise the traffic pattern altitudes	San Diego County/ Federal Aviation Administration	1991
2. Increase ILS <sup>a</sup> and VASI <sup>b</sup> angles from 3.2 degrees to 3.76 degrees	San Diego County/ Federal Aviation Administration	1991
3. Modify Oceanside VOR <sup>c</sup> approach to maintain higher altitude over Carlsbad	San Diego County/ Federal Aviation Administration	1991
4. Require visual departures proceeding to the coast from Runway 24 to turn to a 250-degree heading and fly through the gap between Solamar and Terramar	San Diego County/ Federal Aviation Administration	1991 <sup>d</sup>
5. Develop jet standard instrument departure (SID) for Runway 24 operations to turn to a 250-degree heading and perform a thrust cutback procedure at Interstate 5	San Diego County/ Federal Aviation Administration	1991 <sup>d</sup>
6. Conduct a test in which Runway 24 arrivals would maintain gear and flap settings from the outer marker until past Palomar West.	San Diego County/ Federal Aviation Administration/ Aircraft operators	1991
7. Require jet arrivals to Runway 24 to use the ILS	San Diego County/ Federal Aviation Administration	1991 <sup>d</sup>
8. Specify Runway 24 as the preferential runway	San Diego County/ Federal Aviation Administration	1991
9. Increase the helicopter route altitude to 1000 feet MSL <sup>e</sup>	San Diego County/ Federal Aviation Administration/ Aircraft operators	1991
<b><u>Ground Operations Measures</u></b>		
10. Locate engine maintenance runup area to west side of the Airport	San Diego County	1991 <sup>d</sup>
11. Hold aircraft at parking position when departure delays are high	Federal Aviation Administration.	1991 <sup>d</sup>
<b><u>Management Measures</u></b>		
12. Discourage the use of the Airport by aircraft operating at a maximum weight of 60,000 pounds or more	San Diego County	1991 <sup>d</sup>
13. Discourage jet training operations, particularly by Stage 2 aircraft	San Diego County/ Aircraft operators	1991 <sup>d</sup>

Table 4 (page 2 of 2)  
**RECOMMENDED NOISE ABATEMENT AND NOISE MITIGATION MEASURES,  
 THE ENTITY RESPONSIBLE FOR IMPLEMENTATION, AND THE  
 APPROXIMATE START DATES**  
 McClellan-Palomar Airport

<u>Measure</u>	<u>Entity with implementation responsibility</u>	<u>Approximate start date</u>
14. Implement a voluntary Stage 2 jet departure curfew between 10 p.m. and 7 a.m.	San Diego County/ Aircraft operators	1991
15. Acquire and install a permanent noise monitoring system	San Diego County	1991
16. Designate a noise abatement officer	San Diego County	1991
17. Continue to have the Palomar Airport Advisory Committee act as a noise abatement committee	San Diego County	1991
18. Produce maps identifying the noise-sensitive areas around Airport	San Diego County	1991

**NOISE MITIGATION**

1. Change the Airport Influence Area to reflect the new forecast noise exposure maps	San Diego County/ San Diego Association of Governments (Airport Land Use Commission)	1991
2. Amend the noise elements of the City and County general plans to reflect the new noise exposure maps	City of Carlsbad/ San Diego County	1991
3. Require all land uses inside the CNEL 65 be zoned as compatible land use or require soundproofing	City of Carlsbad	1991
4. Require the granting of aviation easements for all new noise-sensitive land uses inside the CNEL 65	San Diego County	1991
5. Ensure that all properties inside the CNEL 65 include the aircraft noise levels in the fair disclosure statement	City of Carlsbad	1991
6. Encourage that the agricultural area west of the Airport remain an agricultural preserve	City of Carlsbad/ Property owner	1991

- 
- a. Instrument landing system.
  - b. Visual approach slope indicator.
  - c. Very high-frequency omnidirectional radio range.
  - d. Recommended actions that have been implemented or are being implemented (although text may indicate actions needed beyond those already taken).
  - e. Mean sea level.

Source: KPMC; Peat Marwick, May 1990.



US Department  
of Transportation  
**Federal Aviation  
Administration**

Western-Pacific Region

P.O. Box 92007  
Worldway Postal Center  
Los Angeles CA 90009

JUL 20 1992

Mr. Jack Miller  
Assistant Deputy Director  
Department of Public Works  
1960 Joe Crosson Drive  
El Cajon, CA 92020

**McClellan-Palomar Airport, Carlsbad, California  
FAR Part 150 Noise Compatibility Program**

Dear Mr. Miller:

The Federal Aviation Administration (FAA) has evaluated the Noise Compatibility Program (NCP) for the above referenced airport contained in the FAR Part 150 Study and related documents submitted to this office under the provisions of Section 104(a) of the Aviation Safety and Noise Abatement Act of 1979. I am pleased to inform you that the Assistant Administrator for Airports has approved 15 of the 24 proposed noise compatibility measures in the NCP: 7 noise measures were disapproved, and 2 received no action. The specific FAA action for each Noise Compatibility Program element is set forth in the enclosed Record of Approval. The effective date of this approval is June 16, 1992.

Each Airport Noise Compatibility Program developed in accordance with FAR Part 150 is a local program and not a Federal program. The FAA does not substitute its judgement for that of the airport sponsor with respect to which measures should be recommended for action. The FAA's approval, disapproval or no action taken of FAR Part 150 program recommendations is measured according to the standards expressed in Part 150 and the Aviation Safety and Noise Abatement Act of 1979, and is limited to the following determinations:

1. The Noise Compatibility Program was developed in accordance with the provisions and procedures of FAR Part 150;
2. Program measures are reasonably consistent with achieving the goals of reducing existing noncompatible land uses around the airport and preventing the introduction of new incompatible land uses;
3. Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of airport grant agreements, or intrude into areas preempted by the Federal government.



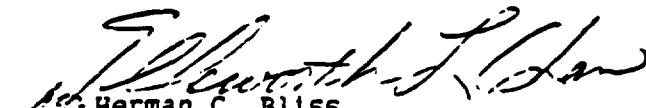
4. Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use and management of the navigable airspace and air traffic control responsibilities of the Administrator prescribed by law.

Specific limitations with respect to FAA's approval of an Airport Noise Compatibility Program are delineated in FAR Part 150, Section 150.5. Approval is not a determination concerning the acceptability of land uses under Federal, State or local law. Approval does not, by itself, constitute an FAA implementation action. A request for Federal action or approval to implement specific Noise Compatibility Measures may be required. An FAA decision on the request may require an environmental assessment of the proposed action. Approval does not constitute a commitment by the FAA to financially assist in the implementation of the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA under the Airport and Airway Improvement Act of 1982, as amended. Where Federal funding is sought, requests for project grants must be submitted to the appropriate FAA office.

The FAA will publish a notice in the Federal Register announcing approval of this Noise Compatibility Program. You are not required to give local official notice, however, you may do so if you wish.

Thank you for your continued interest in Noise Compatibility Planning.

Sincerely,

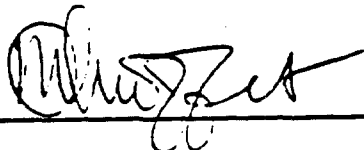
  
Herman C. Bliss  
Manager, Airports Division

Enclosure


FEDERAL AVIATION ADMINISTRATION  
RECORD OF APPROVAL  
FAR PART 150 NOISE COMPATIBILITY  
PROGRAM

McClellan-Palomar Airport  
Carlsbad, California

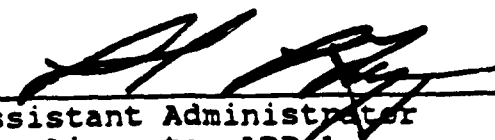
CONCUR NONCONCUR

  
Assistant Administrator for  
Policy, Planning, and  
International Aviation, API-1

6/12/92 ✓  
Date

  
Chief Counsel, AGC-1

6/16/92 ✓  
Date

  
Assistant Administrator  
for Airports, ARP-1

6/16/92 ✓  
Date APPROVED DISAPPROVED

RECORD OF APPROVAL  
MCCLELLAN-PALOMAR AIRPORT  
CARLSBAD, CALIFORNIA  
NOISE COMPATIBILITY PROGRAM

INTRODUCTION

The McClellan-Palomar Airport (CRQ) Noise Compatibility Program (NCP) describes the current and future incompatible land uses based on the parameters as established in FAR Part 150, Airport Noise Compatibility Planning. The NCP includes eighteen (18) noise abatement measures, and six (6) noise mitigation measures. These measures are summarized on pages 3, and 4 of the Noise Compatibility Program, Volume 2.

The approvals listed herein include approvals of actions that the airport recommends be taken by the Federal Aviation Administration (FAA). It should be noted that these approvals indicate only that the actions would, if implemented, be consistent with the purposes of FAR Part 150. The approvals do not constitute decisions to implement the actions. Later decisions concerning possible implementation of these actions may be subject to applicable environmental or other procedures or requirements.

The recommendations below summarize as closely as possible the airport operator's recommendations in the noise compatibility program and are cross-referenced to the program document. The statements contained within the summarized recommendations and before the indicated FAA approval, disapproval, or other determination do not represent the opinions or decisions of the FAA.

NOISE COMPATIBILITY PROGRAM MEASURES

NOISE ABATEMENT MEASURES

Operational Measures

1. Raise the traffic pattern altitude from 800 feet above mean sea level (MSL) to 1,000 feet for helicopters, from 1,200 feet MSL to 1,500 feet for small aircraft, and from 1,500 feet MSL to 2,000 feet for large aircraft. (page 11, Exhibit E, Table 3 & 4)

No action required at this time. This measure relates to flight procedures under Section 104(b) of the Aviation Safety and Noise Abatement Act of 1979. In addition, the NCP would have to adequately demonstrate a noise benefit; there is insufficient statistical and other data to make a determination on the benefits of this measure from a noise standpoint.

2. Increase the instrument landing system (ILS) glideslope angle and the visual approach slope indicator (VASI) angle to 3.6 degrees, which would provide additional altitude to arriving aircraft overflying neighborhoods to the east of the airport, including the community of San Marcos and the Palomar West Mobile Home Park. (page 16)

Disapproved. Increasing the glideslope and VASI angles from their current 3.2 degrees to 3.6 degrees would not provide any meaningful noise reduction and would increase the complexity faced by pilots using these approach aids.

3. Modify the Oceanside very high frequency omnidirectional radio range (VOR) approach for aircraft so that they maintain a minimum altitude of 3,000 feet MSL at the Oceanside VOR, 2,000 feet MSL four miles past the VOR on a heading of 120 degrees, and 1,400 feet MSL seven miles past the VOR. (page 16)

Disapproved. Increasing the altitude to 1,400 feet at 7DME would require raising the established minima and would thereby reduce the utility of the approach.

4. Require visual departures proceeding to the coast from Runway 24 to (a) make a right turn as soon as feasible to a heading of 250 degrees, (b) fly over the vacant area between the communities of Terramar and Solamar, and (c) maintain heading until one mile past the shoreline before turning south or north. (page 16)

Approved as a voluntary measure only. This measure reflects a recommended practice which is already in effect at the airport. This measure should be implemented as a part of, and at the same time as measure #18.

5. Prepare a standard instrument departure (SID) with the Federal Aviation Administration (FAA) concerning instrument flight rules (IFR) jet departures from runway 24 to require that aircraft maintain a heading of 250 degrees and climb to a minimum altitude of 2,000 feet MSL before crossing I-5 or the Oceanside 131-degree radial. Reduce power at I-5 as acceptable for safe flight, and maintain the initial heading and altitude until at least three miles offshore. (page 17)

No action required at this time. This measure relates to a flight procedure under Section 104(b) of the Airport Safety and Noise Abatement Act (ASNA) and requires additional information and analysis.

6. Conduct a test, using noise monitoring equipment, in which arriving aircraft to Runway 24 maintain various gear and flap settings between the McClellan-Palomar Airport outer marker and the west edge of the Palomar West Mobile Home Park. The results of this test may recommend new approach procedures to reduce noise exposure. (page 17, 18)

Approved as a voluntary measure only.

7. Require jet aircraft arrivals to Runway 24 to use the ILS approach. (page 18)

Disapproved for purposes of Part 150. The measure as submitted does not demonstrate any noise benefit. However, FAR Part 91.129(d)(2) specifies that large and turbine powered aircraft shall fly the final approach at or above the ILS glideslope and (3) provides that all aircraft approaching a runway equipped with a visual approach slope indicator shall fly at or above the glideslope until a lower altitude is necessary for landing.

8. Specify Runway 24 for use by all aircraft during calm wind conditions. (page 18)

Approved as a voluntary measure. The airport sponsor should consult with the manager of the air traffic control tower regarding implementation of changes to the ATCT SOP.

9. Increase the helicopter route altitude from 800 feet MSL to 1,000 feet MSL. (page 18)

Disapproved pending submission of additional information relative to anticipated noise benefits. Information provided in the NCP is insufficient to determine the noise benefit, if any, of this measure.

#### Ground Operation Measures

10. Locate the aircraft engine maintenance runup area on the west side of the Airport with aircraft facing east. No maintenance runups should be conducted between 10:00 p.m., and 7:00 a.m. (page 19)

Disapproved. There is no documentation that these measures will result in a noise benefit for people in the airport vicinity. However, with respect to the location of an aircraft maintenance runup area, the airport operator has the prerogative of designating such a location.

11. When more than four departing aircraft are waiting in queues on the taxiway, additional departing aircraft should hold at their tiedown or hanger location with engines off. (page 19)

Disapproved. There is no indication that aircraft taxiing or holding for departure contribute to noise impacts in the airport vicinity, nor is there any indication that this measure provides any noise benefit.

#### Management Measures

12. Discourage use of the Airport by aircraft operating at a maximum weight of 60,000 pounds, or more. (page 19)

Disapproved for purposes of Part 150. The cause and effect relationship between aircraft weight and aircraft noise is not presented in the NCP. It is within an airport sponsor's discretion however, to develop or not develop airport facilities to serve larger aircraft and to make known to pilots the physical limitations of the airfield.

13. Discourage jet training operations, particularly by Stage 2 aircraft, through voluntary compliance. (page 19)

Approved as a voluntary measure only. This measure provides for continuation of an existing on-going program at the airport. Any mandatory restriction proposed for Stage 2 aircraft would be subject to analysis and review under the Airport Noise and Capacity Act of 1990 and FAR Part 161.

14. Implement a voluntary Stage 2 jet departure curfew between 10:00 p. m., and 7:00 a. m. through a letter of agreement between the airport owner (County of San Diego) and operators of Stage 2 jet aircraft located at the Airport. (page 20)

Approved as a voluntary measure only. Any attempt to make this measure mandatory would be subject to analysis and review under the Aviation Noise and Capacity Act of 1990 (ANCA) and FAR Part 161

15. Acquire and install a permanent noise monitoring system to validate the effectiveness of the noise abatement procedures and to quantify noise problems in surrounding neighborhoods in the future.

Approved. NOTE: For purposes of aviation safety, this approval does not extend to the use of monitoring equipment for enforcement purposes by in situ measurement of any pre-set noise thresholds.

16. Designate a noise abatement officer to administer the approved Noise Compatibility Program. (page 20)

Approved.

17. Continue to have the Palomar Airport Advisory Committee act as a forum for discussion of noise abatement actions. (page 20)

Approved.

18. Produce maps identifying noise sensitive areas around the Airport, and distribute them to pilots to help them avoid these areas when possible. (page 20, 27)

Approved. Implementation of this measure should be combined with measure number 4 as a part of a comprehensive effort to inform pilots regarding the noise sensitive areas in the vicinity of the airport.

## NOISE MITIGATION MEASURES

### Preventive Measures

1. Amend the San Diego County Airport Land Use Commission's Comprehensive Land Use Plan for McClellan-Palomar Airport to reflect the new forecast noise exposure area in the Airport Influence Area. (page 28 and Appendix A)

Approved. This measure is considered to be within the authority of the County Airport Land Use Committee.

2. Amend the noise elements in the General Plans of San Diego County, and the City of Carlsbad to reflect the new noise exposure maps. (page 28 and Appendix A)

Approved. This measure is considered to be within the authority of the County of San Diego, and City of Carlsbad.

3. All undeveloped land exposed to noise of CNEL 65+ (current or future) should be rezoned to a compatible use, or, if noise sensitive development is permitted, adequate noise insulation should be required. (page 28)

Approved. This measure is considered to be within the authority of the County of San Diego, and City of Carlsbad.

4. If new noise sensitive development is permitted in areas of CNEL 65+, the granting of an aviation easement to San Diego County should be required as a condition of approval. (page 29)

Approved. This measure is considered to be within the authority of the County of San Diego, and City of Carlsbad.

5. The City of Carlsbad should ensure that for all properties in areas of CNEL 65+, the aircraft noise levels are included in the fair disclosure statement, as required by the State of California. (page 29)

Approved.

6. The owner of the large agricultural area west of the Airport should be encouraged to keep the land in an agricultural preserve under the Williamson Act. (page 29)

Approved.



## **APPENDIX D**

### **FEDERAL AVIATION REGULATIONS (FAR), PART 77 FOR McCLELLAN-PALOMAR AIRPORT**

FAA regulation of airspace around airports is established primarily to protect aircraft. FAA notifies pilots and airport operators of hazardous conditions. However, only local governments have the authority to correct or prevent any construction or alterations which would pose a hazard to air navigation.

FAR Part 77 identifies airspace within which development should be controlled to protect air navigation. It describes a number of imaginary surface with various shapes for different types of airports and runway configurations. Dimensions of the surfaces varies from airport to airport depending on the runway classification. The following describes the imaginary surfaces for McClellan-Palomar Airport, and Runway 24. Descriptions of the surfaces are abbreviated from the federal document.

**Primary surface:** a surface longitudinally centered on a runway and extending 200 feet beyond the end of that runway. The width of this surface is 1,000. The elevation of any point on the primary surface is the same as the elevation of the runway at that point.

**Approach surface:** a surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. The inner edge of the approach surface is the same as the width of the primary surface and it expands uniformly to 16,000 feet at a distance of 50,000 feet. The slope of this surface is 50:1.

**Transitional surface:** these surfaces extend outward and upward at right angles to the runway centerline or its extension at a slope of 7:1 from the sides of the primary surfaces and the approach surfaces.

**Horizontal surface:** a horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 10,000 feet from the center of each end of the primary surface of each runway and connecting the adjacent arc by lines tangent to those arcs.

**Conical surface:** a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20:1 for a horizontal distance of 4,000 feet.

The purpose of the imaginary surfaces is to protect the approach, departure, and circling airspace in the vicinity of the airport. Any object which penetrates the surfaces is an obstruction. FAA reviews each proposed obstruction to determine if it constitutes a hazard to air navigation.

## **APPENDIX E**

### **RULES AND REGULATIONS AIRPORT LAND USE COMMISSION FOR THE SAN DIEGO REGION**

**San Diego Association of Governments Board of Directors**

**Revised January 1990**

The State of California, in 1970, enacted a law regarding the formation of an Airport Land Use Commission in each county. If the Board of Supervisors and the city selection committee of mayors in each county made a determination by a majority vote that proper land use planning could be accomplished through the actions of an appropriately designated body, then such body could assume the planning responsibilities of an airport land use commission and a separate commission need not be formed in that county.

The San Diego County Board of Supervisors, by unanimous vote on December 15, 1970, recommended that the San Diego Association of Governments be designated to assume the responsibilities of an airport land use commission. A similar resolution was passed and adopted by the Selection Committee of Mayors of the San Diego County Region on February 8, 1971. The Secretary of State was notified of this determination on February 25, 1971, and an acknowledgement of this determination was received from the Secretary of State's office on March 2, 1971.

The authority, powers, duties, and limitations of this appropriately designated body are defined in the California Public Utilities Code, Division 9, Part 1, Chapter 4, Article 3.5, commencing with Section 21670. In accordance with the authority with which it has been invested, and in performance of the duties with which it has been charged, the San Diego Association of Governments Board of Directors, acting as the Airport Land Use Commission (hereinafter referred to as "Commission") and pursuant to Section 21674 of the Public Utilities Code, hereby adopts and promulgates the following rules and regulations which shall provide advice and guidance to the Commission in carrying out its duties, and inform public agencies and private parties of the Commission's procedures.

## **ARTICLE I**

### **GENERAL PROVISIONS**

#### **Section 1.1      Name**

The San Diego Association of Governments is designated the Airport Land Use Commission in San Diego County.

#### **Section 1.2      Purposes**

The Commission hereby finds and declares that:

- a. It is in the public interest to provide for the orderly development of each public use airport in this county, and the area surrounding these airports so as to promote the overall goals and objectives of the California Airport Noise Standards adopted pursuant to Public Utilities Code Section 21669, and prevent the creation of new noise and safety problems; and
- b. It is the purpose of this Commission to protect public health, safety and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses.

#### **Section 1.3      Powers and Duties**

The Commission has the following powers and duties, subject to the limitations set forth in Section 21676 of the Public Utilities Code:"

- a. To assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of such airports is not already devoted to incompatible uses.
- b. To coordinate planning at the state, regional and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare.
- c. To prepare and adopt comprehensive land use plans pursuant to Article III.
- d. To review the plans, regulations, and other actions of local agencies and airport operators pursuant to Article IV.

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\*All further section references are to the Public Utilities Code.

- e. To act upon applications for the construction of new airports.

The powers of the Commission shall in no way be construed to give the Commission jurisdiction over the operation of any airport.

#### Section 1.4      Creation of Ad Hoc Committees and Appointment of Members

The Commission Chairperson may, subject to review and ratification by the Commission, create Ad Hoc Committees and may appoint ad hoc committee members representing those jurisdictions, agencies, or groups who will be most directly affected by the determination of the Commission on any comprehensive land use plan.

#### Section 1.5      Fees

The Commission may establish a schedule of fees to cover its costs for reviewing and processing proposals, and for providing copies of comprehensive land use plans. The fees will be charged to proponents of actions, regulations, and permits. After June 30, 1991, the Commission will discontinue charging fees for proposals around any airport which does not have an adopted comprehensive land use plan.

## ARTICLE II

### DEFINITIONS

As used in these rules and regulations, the following terms shall have the meanings indicated.

#### Section 2.1      Aircraft

Any manned contrivance used or designed for navigation of, or flight in, the air requiring certification and registration as prescribed by federal statute or regulation. Manned lighter-than-air balloons and ultralight vehicles as defined in the regulations of the Federal Aviation Administration (14 C.F.R. Part 103), whether or not certified by the Federal Aviation Administration, shall not be considered to be aircraft for purposes of these rules and regulations.

#### Section 2.2      Airport

Any area of land or water which is used, or intended for use, for the landing and take-off of aircraft. Included are any appurtenant areas which are used, or intended for use, for airport buildings or any other airport facilities or rights-of-way, and all airport buildings and facilities located thereon. Heliports, helipads and helistops shall be considered airports for purposes of these rules and regulations.

### **Section 2.3      Airport Influence Area**

A planning area designated by the Commission around each public airport which is, or reasonably may become, affected by airport related noise, fumes, or other influence, or which is, or reasonably may become, a site for a hazard to aerial navigation.

### **Section 2.4      Airport Layout Plan**

An airport layout plan is a graphic presentation to scale of existing and proposed airport facilities, their location on the airport, and the pertinent clearance and dimensional information required to show conformance with applicable standards.

### **Section 2.5      Airport Master Plan**

An airport master plan presents an operator or proprietor's conception of the ultimate development of a specific airport. An airport master plan should present in graphic and written form an inventory of existing airport facilities, forecasts of aviation demand, demand/capacity analysis, facility requirements determinations and environmental study.

### **Section 2.6      Airport Operator**

Any person or entity having the authority and responsibility for the establishment and operation of an airport.

### **Section 2.7      Airport Proprietor**

Any person or entity having the legal right or exclusive title to an airport.

### **Section 2.8      Comprehensive Land Use Plan**

A comprehensive land use plan presents the Commission's determination of the areas currently impacted or likely to be impacted by noise levels and flight activities associated with aircraft operations of a particular airport. It presents in narrative and graphic form the noise, safety and other criteria which will enable local agencies to compatibly plan and develop the land within the airport influence area. (The Comprehensive Land Use Plan may also be referred to herein as "Plan".)

### **Section 2.9      Helipad**

Any area of a structure which is used, or intended for use, for the landing and take-off of helicopters. Included are any appurtenant areas which are used, or intended for use, for helipad buildings or other helipad facilities or rights-of-way, and all helipad buildings and facilities located thereon.

#### **Section 2.10     Heliport**

Any area of land or water which is used, or intended for use, for the landing and take-off of helicopters. Included are any appurtenant areas which are used, or intended for use, for heliport buildings or other heliport facilities or rights-of-way, and all heliport buildings and facilities located thereon.

#### **Section 2.11     Helistop**

Any area of land, water, or a structure not designated as either a heliport or a helipad which is used, or intended for use, for the landing and take-off of helicopters. Such areas generally provide only minimal facilities to accommodate helicopter landings and take-offs.

#### **Section 2.12     Local Agencies and Public Agencies**

A County, a city, special district, or any combination thereof, which has the authority to do any of the following: (1) adopt general or specific land use plans and establish land use zones which are applicable to land within the boundaries of a comprehensive land use plan adopted by the Commission; or (2) own any public airport.

#### **Section 2.13     Private Airport**

Any airport which allows use of its facilities only by the owner or his invitees.

#### **Section 2.14     Public Airport**

Any airport which offers the use of its facilities by the public in general without prior notice and without specific invitation or clearance. An airport proprietor or operator may preclude use by a size or type of aircraft for which the facilities are not adequate without altering the public status of the airport.

### **ARTICLE III**

## **COMPREHENSIVE LAND USE PLAN FORMULATION AND ADOPTION**

#### **Section 3.1     Formulation of the Comprehensive Land Use Plan**

The Commission shall be responsible for the formulation of a comprehensive land use plan for each public airport in the region, as required by state law. The following documents shall be used as primary sources of information:

- General Plans, Specific Plans, Zoning Maps and Ordinances of Local Public Agencies
- Airport Master Plans

- Airport Layout Plans
  - NOISE STANDARDS, Title 21, Chapter 2.5, Subchapter 6, California Administrative Code
  - OBJECTS AFFECTING NAVIGABLE AIRSPACE, Federal Aviation Regulations, Part 77
  - San Diego Plan for Air Transportation
  - SANDAG's Adopted Regional Growth Forecasts
- a. The Commission shall formulate a comprehensive land use plan that will provide for the orderly growth of each public airport and the airport influence area within the jurisdiction of the Commission, and will safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general. The Commission plan shall include the airport master plan that reflects the anticipated growth of the airport during at least the next 20 years. In formulating a comprehensive land use plan, the Commission may develop height restrictions on buildings, may specify uses of land, and may determine building standards, including soundproofing adjacent to airports, within the airport influence area.
  - b. The Commission may include, within its plan formulated pursuant to subdivision (a) the area within the jurisdiction of the Commission surrounding any federal military airport for all the purposes specified in subdivision (a). This subdivision shall not give the Commission any jurisdiction or authority over the territory or operations of any military airport.
  - c. The airport influence area boundaries shall be established by the Commission after hearing and consultation with the involved agencies. Boundaries shall be determined for those areas adjacent to public airports which could be impacted by noise levels exceeding the California State Noise Standards or where height restrictions would be needed to prevent obstructions to navigable airspace as outlined in Federal Aviation Regulations. The airport influence areas shall serve as a basis for formulating the comprehensive land use plan. It is the intent of the Commission to make it possible for individual property owners to readily ascertain whether or not a particular parcel of property is located within an airport influence area. To the maximum extent practical, these boundaries shall be described with reference to prominent features or landmarks of a permanent nature such as roads, power lines, railroad tracks, etc.
  - d. Preparation of each comprehensive land use plan shall be a cooperative effort of the Commission staff, airport proprietors and operators, ad hoc committee members, and representatives of the local agencies.
  - e. The Commission shall submit to the Division of Aeronautics of CALTRANS one copy of the plan and each amendment to the plan.

### **Section 3.2      Plan Amendments**

A request to amend or revise a comprehensive land use plan may be submitted to the Commission at any time by the airport proprietor, the airport operator, or an affected local agency. Plan amendments or revisions may be necessitated by a change in airport use, size, number and type of aircraft accommodated, or a change to the airport master plan, among other reasons. In addition, the Commission shall periodically review adopted comprehensive land use plans and initiate any amendment or revision that may be required. A comprehensive land use plan shall not be amended more than once in any calendar year.

### **Section 3.3      Adoption of Comprehensive Land Use Plan and Amendments**

The comprehensive land use plan and any amendments thereto shall be approved and adopted by the Commission, and shall constitute the Commission's recommendation to the local agency for compatible land uses within the airport influence area. Prior to adopting each comprehensive land use plan or amendment, the Commission shall hold a public hearing in accordance with Article VI.

## **ARTICLE IV**

### **IMPLEMENTATION OF COMPREHENSIVE LAND USE PLANS**

#### **Section 4.1      Determination of Consistency for Airports With Comprehensive Land Use Plans**

The following steps are identified as the process by which a specified action is determined to be consistent with the Comprehensive Land Use Plan for a particular airport.

- a. The local agency staff (City Manager/CAO or Planning Director) or the airport operator provides written notice to the Commission staff of a proposed adoption or amendment of general or specific plans or the adoption or approval of a zoning ordinance or building regulation on land lying wholly or partially in the airport's area of influence. (Written notice shall include the official transmittal of environmental documentation of the proposal for review by the Commission.)
- b. The Commission staff determines whether or not the proposed action would be clearly consistent with the Commission's adopted land use plan covering such area and so notifies the local agency. This written notice shall constitute action by the Commission.
- c. If the proposed action of the local agency is considered by the Commission staff to be potentially inconsistent with the adopted land use plan, the



Commission shall hold a hearing to determine whether or not the proposed action is inconsistent with the Commission's plan. The local agency shall be notified of the Commission's decision prior to the agency's hearing.

- d. If it is determined by the Commission that the proposed action is inconsistent, the Commission's action shall be considered by the local agency. After holding a public hearing, by a two-thirds vote of its governing body, the local agency proposing the action may overrule the Commission if it makes specific findings that the proposed action is consistent with the purposes stated in Section 21670 of the Public Utilities Code.

#### **Section 4.2      Determination of Consistency for Airport Master Plans**

The following steps are identified as the process by which an Airport Master Plan is determined to be consistent with the Comprehensive Land Use Plan for a particular airport.

- a. Each public agency owning an airport within the boundaries of a comprehensive land use plan adopted by the Commission shall, prior to modification of its airport master plan, refer the proposed changes to the Commission.
- b. The Commission staff determines whether or not the proposed action would be clearly consistent with the Commission's adopted land use plan covering such area and so notifies the public agency. This written notice shall constitute action by the Commission.
- c. If the proposed action of the public agency is considered by the Commission staff to be potentially inconsistent with the adopted land use plan, the Commission shall hold a hearing to determine whether or not the proposed action is inconsistent with the Commission's plan. The public agency shall be notified of the Commission's decision prior to the agency's hearing.
- d. If it is determined by the Commission that the proposed action is inconsistent, the Commission's action shall be considered by the public agency. After holding a public hearing, by a two-thirds vote of its governing body, the public agency proposing the action may overrule the Commission if it makes specific findings that the proposed action is consistent with the purposes stated in Section 21670 of the Public Utilities Code.

#### **Section 4.3      Further Commission Review of Local Agency Actions**

- a. If the Commission finds that a local agency has not revised its general plan or specific plan or overruled the Commission by a two-thirds vote of its governing body after making specific findings that the proposed action is consistent with the purposes stated in Public Utilities Section 21670, the Commission may require that the local agency submit all subsequent actions,

regulations, and permits to the Commission for review until its general plan or specific plan is revised or the specific findings are made. If, in the determination of the Commission, an action, regulation, or permit of the local agency is inconsistent with the Commission plan, the local agency shall be notified and that local agency shall hold a hearing to reconsider its plan. The local agency may overrule the Commission after the hearing by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes stated in Public Utilities Code Section 21670.

- b. Whenever the local agency has revised its general or specific plan or has overruled the Commission pursuant to subdivision (a), the proposed action of the local agency shall not be subject to further Commission review, unless the Commission and the local agency agree that individual projects shall be reviewed by the Commission.

#### **Section 4.4      Review Process for Airports Without Comprehensive Land Use Plans**

The following steps are identified as the process by which all actions, regulations, and permits in the vicinity of an airport without a Comprehensive Land Use Plan are reviewed.

- a. Beginning January 1st, 1990, the local land use agency (city or county) shall first submit to the Commission all actions, regulations and permits within the vicinity of a public airport without a comprehensive land use plan to the Commission for review and approval. If the Commission has not designated a study area for the plan, then "vicinity" means the area within two miles of the boundary of a public airport.
- b. Before the Commission approves or disapproves the submittal, it shall give public notice in the same manner as the local land use agency. The Commission may approve a submittal if it finds, based on substantial evidence in the record, all of the following:
  - (1) The Commission is making substantial progress toward the completion of the plan.
  - (2) There is a reasonable probability that the action, regulation, or permit will be consistent with the plan being prepared by the Commission.
  - (3) There is little or no probability of substantial detriment to or interference with the future adopted Plan if the action, regulation or permit is ultimately inconsistent with the plan.
- c. If the Commission disapproves an action, regulation, or permit, the Commission shall notify the local agency. The local agency may overrule the Commission, by a two-thirds vote of its governing body, if it makes specific

findings that the proposed action, regulation, or permit is consistent with the purposes of stated in Section 21670.

- d. The Commission may adopt additional rules and regulations which exempt any ministerial permit for single family dwellings and exclude other actions, regulations, and permits from the requirements of subdivision (a) if it makes the findings required pursuant to subdivision (b) for the proposed rules and regulations, except that the rules and regulations may not exempt either of the following:

- (1) More than two single family dwellings by the same applicant within a subdivision prior to June 30, 1991.
- (2) Single family dwellings in a subdivision where 25 percent or more of the parcels are undeveloped.

#### **Section 4.5      Authorization for Staff Review**

The Executive Director is authorized to determine the consistency of proposed actions referred to the Commission, but only where such actions are clearly consistent with the comprehensive land use plan. The Executive Director shall officially notify the local agency and the airport operator (where the operator makes the referral) of such finding within 60 days from the date of referral of the proposed action.

The Executive Director is authorized to approve actions, regulations, and permits submitted pursuant to Section 4.4, but only where such actions, regulations, and permits clearly meet the substantial evidence test required pursuant to subdivision (b).

#### **Section 4.6      Determination Deadlines**

Each Commission determination pursuant to these rules and regulations shall be made within 60 days from the date of referral of the proposed action in accordance with Sections 21675.2 and 21676.

#### **Section 4.7      Reconsideration Criteria for Determinations of Consistency**

Commission determinations made pursuant to Section 4.1 shall remain in effect until such time as any of the following occur:

- a. There is a substantive alteration, change, or modification to the proposed action.
- b. There is a change in the relevant airport master plan which substantively alters the noise and safety effects of aircraft operations.

- c. The relevant comprehensive land use plan is substantively revised or amended pursuant to Sections 3.2 and 3.3.
- d. Four years have lapsed since the Commission's determination, and final discretionary approval of the proposal has not been taken by the local agency.

At such time the Commission's previous determination shall be null and void and the Commission shall make a new determination of consistency pursuant to Section 4.1.

#### **Section 4.8      Immunity From Liability**

With respect to a publicly owned airport that a public agency does not operate, if the public agency, pursuant to Sections 21675.1, 21676 or 21676.5 of the Public Utilities Code, overrides the Commission's action or recommendation, the operator of the airport shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the public agency's decision to override the Commission's action or recommendation.

#### **Section 4.9      CEOA Review and Comment**

The Commission's review and comment on draft environmental documents pursuant to the California Environmental Quality Act or the National Environmental Protection Act shall be independent of its review of proposals for the purpose of making a consistency determination, unless the referring agency specifically requests that both reviews be conducted concurrently.

### **ARTICLE V**

#### **REVIEW OF NEW AIRPORTS**

#### **Section 5.1      New Airport Plan Submission**

No political subdivision, any of its officers or employees, or any person may submit any application for the construction of a new airport to any local, regional, state, or federal agency unless the plan for such construction is first approved by the board of supervisors of the county, or the city council of the city, in which the airport is to be located and unless the plan is submitted to the Commission exercising powers pursuant to Article 3.5 (commencing with Section 21670) of Chapter 4 of Part 1 of Division 9 of the Public Utilities Code and acted upon by the Commission in accordance with the provisions of such article.

#### **Section 5.2      Hearings**

Commission action will be taken in accordance with Article VI.

## **ARTICLE VI**

### **PUBLIC HEARINGS**

#### **Section 6.1      Procedures**

Public hearings shall be held in accordance with SANDAG procedures.

#### **Section 6.2      Processing of Referrals**

Referrals to the Commission shall be submitted in writing. The referral should fully and fairly state the reason for the referral and should include detailed property descriptions, maps and other material necessary to fully understand the matter for which a hearing is being requested. Within the 15 working days immediately following the receipt of a referral, the Commission's staff shall determine if the matter for which the hearing is being requested is within the purview of the Commission. If the matter is a proper subject for a hearing, a date for the hearing shall be set and the date for hearing shall be not more than 60 days from the date of referral of the proposed action.

#### **Section 6.3      Hearing Notice**

Public notice of Commission hearings shall be made in accordance with applicable law. In addition, the date and subject matter of each hearing shall be sent to the local agency and to all public agencies having an interest in the matter to be heard.

## **ARTICLE VII**

### **CONFLICT OF INTEREST**

#### **Section 7.1      Disqualification**

Pursuant to Public Utilities Code Section 21672, Commission members shall disqualify themselves from participating in the review or adoption of a proposal because of conflict of interest in accordance with the provisions of the Political Reform Act of 1975, as amended, and the SANDAG Conflict of Interest Code. Alternates to the Commission may participate in the event of a regular Commission member's disqualification.

## **APPENDIX F**

### **PUBLIC NOTICE OF PROPOSED NEGATIVE DECLARATION**

A proposed negative declaration has been prepared by the San Diego Association of Governments for a draft McClellan-Palomar Comprehensive Land Use Plan.

This recommended finding that the project will not have a significant effect on the environment is based on an Environmental Initial Study conducted by SANDAG. The Negative Declaration, Initial Study and supporting documents may be reviewed, or purchased for the cost of reproduction, at the office of the San Diego Association of Governments, 401 B Street, Suite 800, First Interstate Plaza. For environmental review information, contact Jack Koerper at 595-5372.

Written comments regarding the adequacy of this Negative Declaration must be received by the San Diego Association of Governments at the above address by October 7, 1993.

A final environmental report incorporating public input will then be prepared for consideration by decisionmaking authorities.

**STUART R. SHAFFER**  
Deputy Executive Director

This notice was published in the SAN DIEGO DAILY TRANSCRIPT and distributed on August 23, 1993.

**DRAFT  
NEGATIVE DECLARATION**

**SUBJECT: Draft McClellan-Palomar Comprehensive Land Use Plan**

- I. PROJECT DESCRIPTION: See attached Initial Study.**
- II. ENVIRONMENTAL SETTING: See attached Initial Study.**
- III. DETERMINATION:**

The San Diego Association of Governments has conducted an Initial Study and determined that the proposed amendment will not have a significant environmental effect and the preparation of an Environmental Impact Report will not be required.

- IV. DOCUMENTATION:**

The attached Initial Study documents the reasons to support the above Determination.

- V. MITIGATING MEASURES: None Required**
- VI. PUBLIC REVIEW DISTRIBUTION:**

Draft copies or notice of this Negative Declaration were distributed to:

City of Carlsbad  
Coastal Commission  
Federal Aviation Administration  
State of California Division of Aeronautics  
City of Vista  
Palomar Airport Advisory Committee  
State Clearinghouse  
California Pilots Association

California Department of Fish and Game  
County of San Diego

VII. RESULTS OF PUBLIC REVIEW:

- (✓) No comments were received during the public input period.
- ( ) Comments were received but did not address the Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- ( ) Comments addressing the findings of the draft Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Negative Declaration and any Initial Study material are available at the SANDAG offices for review, or for purchase at the cost of reproduction.

\_\_\_\_\_  
STUART R. SHAFFER  
Deputy Executive Director

8/1/93  
\_\_\_\_\_  
Date of Draft Report

11/1/93  
\_\_\_\_\_  
Date of Final Report

Analyst: Jack Koerper



**SUBJECT: Proposed Amendment to the Comprehensive Land Use Plan for McClellan-Palomar Airport**

**I. Purpose and Main Features:**

SANDAG, as the Airport Land Use Commission (ALUC) for the San Diego Region, has the responsibility to protect the region's airports from incompatible land use development. State law requires the preparation and adoption of an airport Comprehensive Land Use Plan (CLUP) by the ALUC to accomplish this goal.

A CLUP identifies the Airport Influence Area, noise contours, and the area impacted by airport-generated noise; the kinds of land uses that are compatible and incompatible with airport operations matrix, accident potential zones and matrix, and recommendations for the airport operator, land use agency, and SANDAG, as the Airport Land Use Commission.

**II. Environmental Setting:**

The McClellan-Palomar Airport is located within the corporate limits of the City of Carlsbad, approximately five miles southeast of the Carlsbad Village. The Federal Aviation Administration (FAA) classifies the airport as a general utility facility, an airport mainly serving aircraft with a maximum gross takeoff weight of 12,000 pounds or less. However, some aircraft larger than 12,500 pounds, but less than 60,000, do operate at the airport.

The North County area served by the airport is the fastest growing portion of the region. It is expected to increase from its 1986 population of 481,355 to over 861,786 by the year 2000, an increase of 55.8%. Employment is forecast to increase from 196,482 to 343,310, an increase of 57.2%. The rapid growth in employment is due largely to the extensive industrial development taking place in North County, much of it located around McClellan-Palomar Airport.

The airport is owned and operated by the County of San Diego. It occupies about 255 acres of land; the remaining 211 acres of County owned airport land is separated from the airport by Palomar Airport Road and El Camino Real. The airport has one runway, Runway 6-24, which is 4,700 feet long by 150 feet wide. McClellan-Palomar Airport is the only airport with an instrument landing system between Lindbergh Field and Santa Ana that can accommodate the majority of the

business aircraft fleet of over 12,500 pounds. There is a parallel taxiway equal to the full length of the runway.

III. Environmental Analysis: See attached Initial Study Checklist

IV. Discussion: None

V. Recommendation:

One the basis of this initial evaluation:

☒ The proposed project would not have a significant effect on the environment, and a **NEGATIVE DECLARATION** should be prepared.

☐ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section IV above have been added to the project. A **MITIGATED NEGATIVE DECLARATION** should be prepared.

☐ The proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** should be required.

**PROJECT ANALYST: Jack Koerper, 595-5372**

**Attachments: Initial Study Checklist  
SANDAG Board of Directors Report  
Draft McClellan-Palomar CLUP**

### III. ENVIRONMENTAL ANALYSIS:

This Initial Study checklist is designed to identify the potential for significant environmental impacts which could be associated with a project. All answers of "yes" and "maybe" indicate that there is a potential for significant environmental impacts and these determinations are explained in Section IV.

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
A. <u>Geology/Soils</u> . Will the proposal result in:			
1. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	___	___	<u>X</u>
2. Any increase in wind or water erosion of soils, either on or off the site?	___	___	<u>X</u>
B. <u>Air</u> . Will the proposal result in:			
1. Air emissions which would substantially deteriorate ambient air quality?	___	___	<u>X</u>
2. The exposure of sensitive receptors to substantial pollutant concentrations?	___	___	<u>X</u>
3. The creation of objectionable odors?	___	___	<u>X</u>
4. The creation of dust?	___	___	<u>X</u>
5. Any alteration of air movement in the area of the project?	___	___	<u>X</u>
6. A substantial alteration in moisture, or temperature, or any change in climate, either locally or regionally?	___	___	<u>X</u>
C. <u>Hydrology/Water Quality</u> . Will the proposal result in:			
1. Changes in currents, or the course of direction of water movements, in either marine or fresh waters?	___	___	<u>X</u>

- |    |   |     |     |          |
|----|---|-----|-----|----------|
| 2. | Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?   | ___ | ___ | <u>X</u> |
| 3. | Alterations to the course or flow of flood waters?  | ___ | ___ | <u>X</u> |
| 4. | Discharge into surface or ground waters, or in any alteration of surface or ground water quality, including, but not limited to temperature, dissolved oxygen or turbidity?                         | ___ | ___ | <u>X</u> |
| 5. | Discharge into surface or ground waters, significant amounts of pesticides, herbicides, fertilizers, gas, oil or other noxious chemicals?   | ___ | ___ | <u>X</u> |
| 6. | Change in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake? | ___ | ___ | <u>X</u> |
| 7. | Exposure of people or property to water related hazards such as flooding?   | ___ | ___ | <u>X</u> |
| 8. | Change in the amount of surface water in any water body?  | ___ | ___ | <u>X</u> |

D. **Biology.** Will the proposal result in:

- |    |   |     |     |          |
|----|---|-----|-----|----------|
| 1. | A reduction in the number of any unique, rare, endangered, sensitive or fully protected species of plants or animals? | ___ | ___ | <u>X</u> |
| 2. | A substantial change in the diversity of any species of animals or plants?  | ___ | ___ | <u>X</u> |
| 3. | Introduction of invasive species of plants into the area?   | ___ | ___ | <u>X</u> |
| 4. | Interference with the movement of any resident or migratory fish or wildlife species?                                 | ___ | ___ | <u>X</u> |

- |   |   |     |     |          |
|---|---|-----|-----|----------|
| 5.  | An impact on a sensitive habitat, including, but not limited to streamside vegetation, oak woodland, vernal pools, coastal salt marsh, lagoon, wetland, or coastal sage scrub or chaparral? | ___ | ___ | <u>X</u> |
| 6.  | Deterioration of existing fish or wildlife habitat?   | ___ | ___ | <u>X</u> |
| <b>E. <u>Noise.</u> Will the proposal result in:</b>                    |   |     |     |          |
| 1.  | A significant increase in the existing ambient noise levels?  | ___ | ___ | <u>X</u> |
| 2.  | Exposure of people to noise levels which exceed the City's adopted noise ordinance?   | ___ | ___ | <u>X</u> |
| 3.  | Exposure of people to current or future transportation noise levels which exceed standards established in the Transportation Element of the General Plan?                                   | ___ | ___ | <u>X</u> |
| <b>F. <u>Light, Glare and Shading.</u> Will the proposal result in:</b> |   |     |     |          |
| 1.  | Substantial light or glare?   | ___ | ___ | <u>X</u> |
| 2.  | Substantial shading of other properties?  | ___ | ___ | <u>X</u> |
| <b>G. <u>Land Use.</u> Will the proposal result in:</b>                 |   |     |     |          |
| 1.  | A land use which is inconsistent with the adopted community plan land use designation for the site?   | ___ | ___ | <u>X</u> |
| 2.  | A conflict with the goals, objectives and recommendations of the community plan in which it is located?   | ___ | ___ | <u>X</u> |
| 3.  | A conflict with adopted environmental plans for the area?   | ___ | ___ | <u>X</u> |
| 4.  | Land uses which are not compatible with aircraft accident potential as defined by a SANDAG (ALUC) Airport Land Use Plan?  | ___ | ___ | <u>X</u> |

H. Natural Resources. Will the proposal result in:

- |    |   |     |     |          |
|----|---|-----|-----|----------|
| 1. | The prevention of future extraction of sand and gravel resources?   | ___ | ___ | <u>X</u> |
| 2. | The conversion of agricultural land to nonagricultural use or impairment of the agricultural productivity of agricultural land? | ___ | ___ | <u>X</u> |

I. Recreational Resources: Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?

\_\_\_    \_\_\_    X

J. Population. Will the proposal alter the planned location, distribution, density, or growth rate of the population of an area?

\_\_\_    \_\_\_    X

K. Housing. Will the proposal affect existing housing in the community, or create a demand for additional housing?

\_\_\_    \_\_\_    X

L. Transportation/Circulation. Will the proposal result in:

- |    |  |     |     |          |
|----|--|-----|-----|----------|
| 1. | Traffic generation in excess of specific/ community plan allocation?   | ___ | ___ | <u>X</u> |
| 2. | An increase in projected traffic which is substantial in relation to the capacity of the street system?                                | ___ | ___ | <u>X</u> |
| 3. | An increased demand for off-site parking?  | ___ | ___ | <u>X</u> |
| 4. | Effects on existing parking?   | ___ | ___ | <u>X</u> |
| 5. | Substantial impact upon existing or planned transportation systems?  | ___ | ___ | <u>X</u> |
| 6. | Alterations to present circulation movements including effects on existing public access to beaches, parks, or other open space areas? | ___ | ___ | <u>X</u> |
| 7. | Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?  | ___ | ___ | <u>X</u> |

M. Public Services. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:

- |   |     |     |          |
|---|-----|-----|----------|
| a. Fire protection?                                   | ___ | ___ | <u>X</u> |
| b. Police protection?                                 | ___ | ___ | <u>X</u> |
| c. Schools?   | ___ | ___ | <u>X</u> |
| d. Parks or other recreational facilities?            | ___ | ___ | <u>X</u> |
| e. Maintenance of public facilities, including roads? | ___ | ___ | <u>X</u> |
| f. Other governmental services?                       | ___ | ___ | <u>X</u> |

N. Utilities. Will the proposal result in a need for new systems, or require substantial alterations to existing utilities, including:

- |                            |     |     |          |
|----------------------------|-----|-----|----------|
| a. Power?                  | ___ | ___ | <u>X</u> |
| b. Natural gas?            | ___ | ___ | <u>X</u> |
| c. Communications systems? | ___ | ___ | <u>X</u> |
| d. Water?                  | ___ | ___ | <u>X</u> |
| e. Sewer?                  | ___ | ___ | <u>X</u> |
| f. Storm water drainage?   | ___ | ___ | <u>X</u> |
| g. Solid waste disposal?   | ___ | ___ | <u>X</u> |

O. Energy. Will the proposal result in the use of excessive amounts of fuel or energy?

\_\_\_ \_\_\_ X

P. Water Conservation. Will the proposal result in:

- |   |     |     |          |
|---|-----|-----|----------|
| 1. Use of excessive amounts of water?                                   | ___ | ___ | <u>X</u> |
| 2. Landscaping which is predominantly non-drought resistant vegetation? | ___ | ___ | <u>X</u> |

Q. Neighborhood Character/Aesthetics. Will the proposal result in:

- |    |  |       |       |          |
|----|--|-------|-------|----------|
| 1. | The obstruction of any vista or scenic view from a public viewing area?  | _____ | _____ | <u>X</u> |
| 2. | The creation of a negative aesthetic site or project?  | _____ | _____ | <u>X</u> |
| 3. | Project bulk, scale, materials or style which will be incompatible with surrounding development?   | _____ | _____ | <u>X</u> |
| 4. | Substantial alteration to the existing character of the area?  | _____ | _____ | <u>X</u> |
| 5. | The loss of any distinctive or landmark tree(s), or a stand of mature trees?   | _____ | _____ | <u>X</u> |
| 6. | Substantial change in topography or ground surface relief features?  | _____ | _____ | <u>X</u> |
| 7. | The loss, covering or modification of any unique geologic or physical features such as a natural canyon, sandstone bluff, rock outcrop or hillside with a slope in excess of 25 percent? | _____ | _____ | <u>X</u> |

R. Cultural/Scientific Resources. Will the proposal result in:

- |    |   |       |       |          |
|----|---|-------|-------|----------|
| 1. | Alteration of or the destruction of a prehistoric or historic archaeological site?                      | _____ | _____ | <u>X</u> |
| 2. | Adverse physical or aesthetic effects to a prehistoric or historic building, structure, object or site? | _____ | _____ | <u>X</u> |
| 3. | Adverse physical or aesthetic effects to an architecturally significant building, structure, or object? | _____ | _____ | <u>X</u> |



- |  |   |     |     |          |
|--|---|-----|-----|----------|
| 4.   | Any impact to existing religious or sacred uses within the potential impact area?   | ___ | ___ | <u>X</u> |
| 5.   | The loss of paleontological resources?  | ___ | ___ | <u>X</u> |
| <br>S. <u>Human Health/Public Safety.</u> Will the proposal result in: |   |     |     |          |
| 1.   | Creation of any health hazard or potential health hazard (excluding mental health)?   | ___ | ___ | <u>X</u> |
| 2.   | Exposure of people to potential health hazards?   | ___ | ___ | <u>X</u> |
| 3.   | A future risk of an explosion or the release of hazardous substances (including but not limited to gas, oil, pesticides, chemicals, radiation or explosives)?   | ___ | ___ | <u>X</u> |
| <br>T. <u>Mandatory Findings of Significance.</u>                      |   |     |     |          |
| 1.   | Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | ___ | ___ | <u>X</u> |
| 2.   | Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)   | ___ | ___ | <u>X</u> |
| 3.   | Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate  |     |     |          |

resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)

\_\_\_\_ \_ X

4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

\_\_\_\_ \_ X

[illegible]

)
)
)

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**This Declaration and Notice Concerning Aircraft Environmental Impacts is made by \_\_\_\_\_, hereinafter referred to as the "Owner," as developer of certain real property situated in the City of \_\_\_\_\_, County of San Diego, State of California.**

## RECITALS

- A. The Owner is the developer and holder of the title to certain real property in the City of \_\_\_\_\_, County of San Diego, California, more fully described as:
- B. The property is located approximately \_\_\_\_\_ miles from the McClellan-Palomar Airport, City of \_\_\_\_\_, San Diego County (the "Airport"), operated by the County of San Diego, through which are conducted certain aircraft operations on and about said Airport and over real property in the vicinity of the Airport.
- C. Owner has no control over the operations of the Airport, including the types of aircraft, flight, the flight patterns of the aircraft, nor the frequency of the flights.
- D. It is the desire of Owner to give notice to any potential purchaser of the real property of the air flight operation and the fact that purchasers may be subject to overflight, sight and sound of aircraft operating from the Airport.
- E. The purpose of this notice is to disclose to the fullest extent possible present and future potential impacts of noise generated by all manner of aircraft including public, military and private aircraft which will generate noise and other environmental impacts.

NOW, THEREFORE, in light of the above Recitals, as developer and owner of the property, does, for itself, and its successors and assigns, give the following notice:

1. Owner has and shall develop the property in accordance with Subdivision Tract Parcel Map (CT/PM-\_\_\_\_) approved by the City of \_\_\_\_\_, which approval includes the requirement of the City of \_\_\_\_\_, that the development of the property is consistent with the Land Use Element and Noise Element of the General Plan of the City of \_\_\_\_\_
2. That Owner has no responsibility or control over the operation of the Airport, including without limitation, the types or number of flight operations, types of aircraft (including jet aircraft), timing of flight operation, or frequency of flights.
3. That the flight operations to and from the Airport may create significant aircraft environmental impacts affecting the purchasers, tenants and occupants of the property and that purchasers, tenants and occupants of the property reside there subject to such overflight, sight and sound.
4. The property shall be held, conveyed, hypothecated, encumbered, leased, rented, used, occupied and improved subject to this Declaration and Notice. This Notice shall run with the property and shall be binding upon all parties having or acquiring any right, title or interest in the property.
5. The purpose of this Notice is to disclose to the fullest extent possible present and future potential impacts of noise generated by all manner of aircraft including public and private aircraft which will generate noise and other environmental impacts.

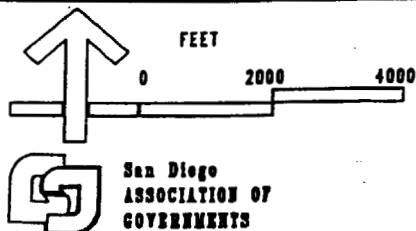
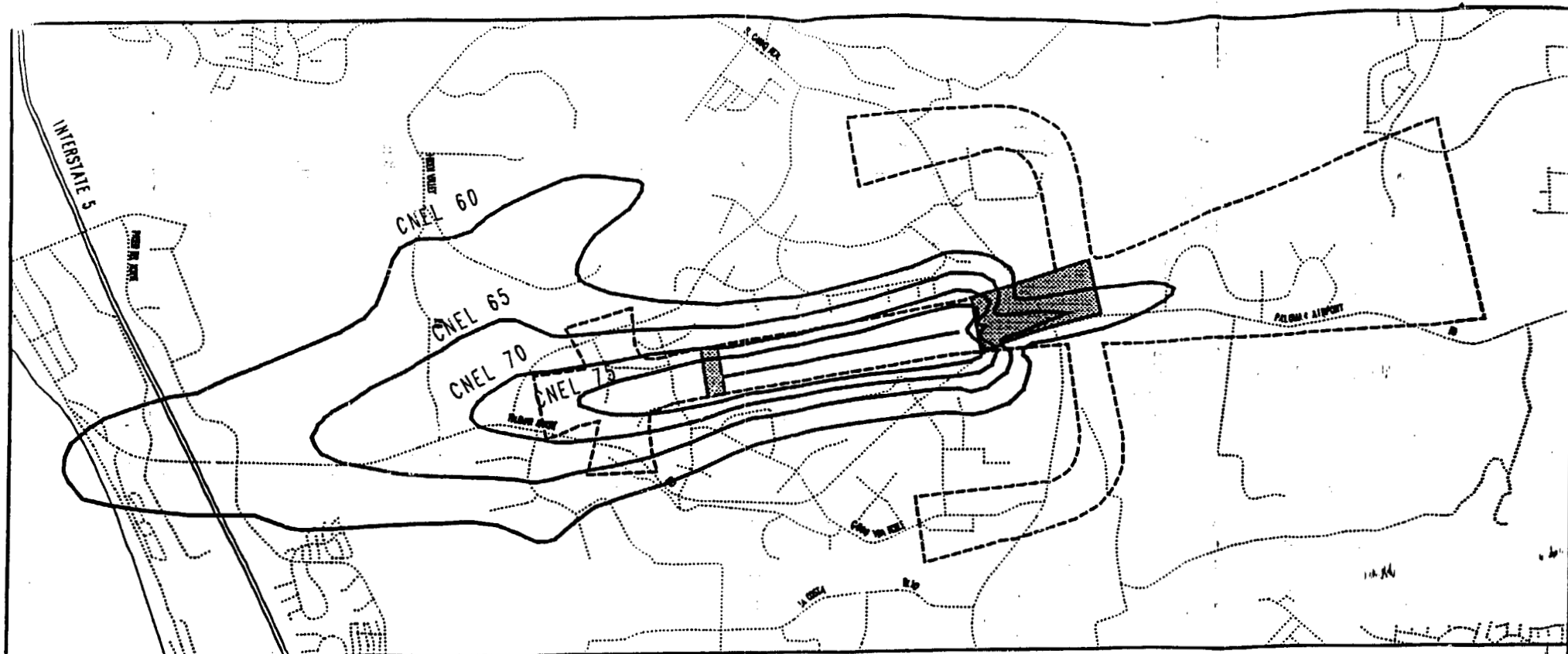
IN WITNESS WHEREOF, this Declaration of Notice of aircraft, overflight, sight, and sound is made this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

STATE OF CALIFORNIA, COUNTY OF \_\_\_\_\_) ss.

On \_\_\_\_\_, 19\_\_\_\_, before me, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_ and personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons who executed the within instrument as \_\_\_\_\_ President and \_\_\_\_\_ Secretary, on behalf of \_\_\_\_\_, the corporation herein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its Board of Directors.


By: \_\_\_\_\_

By: \_\_\_\_\_



March 15, 1993

**1995 Noise Contours,  
Runway Protection Zone  
and Flight Activity Zone**

-  Runway Protection Zone
-  Flight Activity Zone

**McClellan-Palomar Airport**